



Fraud Information Alert 3

MIAA Anti-Fraud Service

November 2024

Christmas Gifting

NHS England have recently published their updated “[Managing conflicts of interest in the NHS](#)” (published September 2024) which forms the template for the Conflicts of Interest policies in most NHS organisations. It contains guidance around Gifts and Hospitality rules, but you should refer to your own NHS Body’s Gifts and Hospitality / Conflicts of Interest Policy as some organisations set more stringent guidance.

Despite the presence of all the rules around accepting Gifts and Hospitality in public life (Nolan Principles) and within the NHS (the NHS England document mentioned above), NHS staff still accept gifts off suppliers and patients that can occasionally end up with them getting into difficulties.

In essence, the NHS England “Managing Conflicts of Interest” guidance states:

1. As an overarching principle, gifts from suppliers, contractors or customers, or prospected supplier, contractors or customers, should not be accepted. This is to remove the appearance of impropriety in dealings with such organisations.
2. However, if gifts do not exceed £6 in value, they can be accepted. So, for example, branded post it pads or drinks coasters from a supplier would be OK to accept, but tickets to see Taylor Swift would not.
3. The previous guidance that gifts for a team up to £20 in value can be accepted, if the intention is that they be shared within the team, has been removed from this iteration of the NHS England document.
4. Gifts from other sources, such as patients, families and service users up to a value of £50 can be accepted (but should be declared), but over that value, or cumulatively reaching that value over the space of a year, should not be accepted.
5. Gifts of cash and vouchers should always be declined. This covers Amazon or supermarket vouchers, as well as gift certificates for £500 of food and drink at an upmarket hotel.

NHS organisations often include additional specific rules around the prohibition of accepting alcohol as a gift.

ACTION REQUIRED

MIAA Anti-Fraud Service recommend this alert is distributed to: NHS STAFF for ACTION & AWARENESS

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The NHS England document is cognisant of the position that turning down gifts from patients puts NHS staff in, and that it can be an awkward situation. However, NHS organisations should have clear guidance for their staff on the course of action in these situations, whether that be to refuse all gifts over the prescribed monetary limit or accept it and inform the patient / relative that it is policy that all such gifts are transferred to the organisation charity, or other alternatives. It is up to NHS staff to know what their employer's policies do and do not permit.

In the build up to Christmas you are more likely to receive or be offered a gift from a patient or supplier than at any other time of the year; however, these rules must still be followed, regardless of how well-meaning the "gifter".

[An NHS case in the media](#) showed a number of NHS staff had allegedly accepted a large number of gifts (hotel stays, food & drink, cash, concert tickets, computer software and hardware) in order that the bribers got awarded lucrative NHS contracts.

Advice to NHS Staff

Make yourself aware of the specific rules around Gifts and Hospitality at your organisation. Specifically, make yourself aware of the approach to patient / relative gifts that exceed the policy.

- Do not accept cash or cash equivalent gifts.
- If in doubt, refuse a gift, or ask advice from your Line Manager or Company Secretary (or equivalent). It may be awkward to refuse a bottle of champagne from the family of a patient, but is it worth potentially facing disciplinary proceedings for, or worse.
- You will have to make a judgement on the likely value of any gift and whether it likely breaches any threshold. If in doubt, declare it.
- Even if you refuse the gift, it may still be beneficial to declare it, per your NHS Body Policy.
- Protect yourself. Always apply "the newspaper test" - think how it would look if your acceptance of the gift was reported in the press.

