



CORPORATE POLICIES AND PROCEDURES

GIFTS

NO.: 00365

(Formerly ADM X 260)

ISSUED BY: V.P. Human Resources

DATE OF APPROVAL: 2008/10/08

APPROVED BY: Senior Management
Committee

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CATEGORY: Human Resources

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POLICY STATEMENT:

The Ottawa Hospital is committed to minimizing the possibility of conflict between employees' private interests and their duties at the workplace. This policy provides direction and measures for employees, volunteers and physicians when presented with a gift from patients, vendors/suppliers, or others doing business with or seeking to do business with The Ottawa Hospital.

Employees, volunteers and physicians of The Ottawa Hospital (TOH) are to avoid accepting gifts from patients, vendors/suppliers or others doing business with or seeking to do business with The Ottawa Hospital.

Employees, volunteers and physicians are to avoid giving gifts to patients, vendors/suppliers or others doing business with or seeking to do business with TOH.

The codes of ethics, standards of practice and guidelines of the respective regulated health professional groups shall supplement the information contained within this policy.

DEFINITION(S):

- 1. Employees** are permanent, temporary, full-time, part-time, casual or contract employees and for the purposes of this policy, also includes residents, students, affiliated organizations and other personnel conducting business for or at TOH.
- 2. Volunteers** are individuals giving their time to the Hospital without remuneration.
- 3. Physicians** are licensed medical practitioners representing TOH business.

❖ **Note:** For the purposes of this policy, employees, volunteers and physicians will collectively be referred to as **Employees**.

4. **Patients** are individuals who have or will receive medical attention, care and/or treatment at TOH. For the purposes of this policy this definition includes family, friends and the patient's support group.
5. **Vendor/Suppliers** (including Drug Companies) are any person, company or contractor that sells and/or provides goods or services to TOH. This definition includes both current and prospective vendors/suppliers.
6. **Gift** is defined as a voluntary transfer of property from one person or entity to another made without charge or consideration. Gifts include but are not limited to articles of value such as money, honoraria, donations, tickets or passes to events, hospitality, trips and offers of travel, accommodation, meals, entertainment, equipment, privileges or other personal rewards and special considerations.
7. **Nominal Value** is defined as being less than twenty-five (\$25.00) dollars.
8. **Cumulative Value of Gifts** is the increasing value of the gifts as one party successively gives gifts to another party.
9. **Conflict of Interest:** Conflict of Interest includes, but is not limited to, a situation:
 - i. in which significant financial, professional or other personal considerations or commitments may compromise or have the appearance of compromising an individual's professional judgment;
 - ii. where an individual is in a position to influence, either directly or indirectly, TOH business, research, or other decisions in ways that could advance the individual's own interests or the interests of a Related Party to the detriment of TOH's interests, integrity or fundamental mission,
 - iii. where financial or other personal considerations may compromise, or have the appearance of compromising, an individual's professional judgment in conducting or reporting TOH business or research;

and such a Conflict of Interest may be:

- iv. potential,
- v. actual, or
- vi. apparent or perceived; that is, there is a reasonable apprehension which reasonably informed individuals could properly have, that a Conflict of Interest exists, even if, in fact, there is neither a potential nor a real conflict.

ALERTS: N/A

PROCEDURE:

1. Gifts:

No employee shall accept a gift which could influence their decision on any hospital business including procurement.

The acceptance of gifts is expected to be transparent and may be audited.

2. Monetary Gifts:

No employee shall accept money of any denomination presented to them as a gift.

3. Nominal Value (less than \$25.00):

Gifts of nominal value, presented to an employee, directly or indirectly, are to be reported to the employee's immediate supervisor immediately upon receipt and prior to the end of the shift.

Upon receiving notification from the employee of the presentation of a gift, the immediate supervisor will determine whether the gift is of nominal value and/or falls within the exceptions listed under number 8. The immediate supervisor will take into consideration the cumulative value of multiple gifts.

In cases where the immediate supervisor deems the gift to be of nominal value, the supervisor will advise the employee that the gift may be accepted.

4. Exceeding Nominal Value (greater than \$25.00):

All gifts exceeding nominal value, presented to an employee, directly or indirectly, are to be reported to the employee's immediate supervisor immediately upon receipt and prior to the end of the shift.

In cases where the immediate supervisor deems the gift to exceed the nominal value, the supervisor will advise the employee that the gift cannot be accepted and will redirect the gift, as appropriate. The supervisor will advise the employee as to where the gift has been redirected.

5. Gifts From Patients:

The Ottawa Hospital recognizes that patients may wish to express their appreciation to employees. In these instances, employees may suggest that the patient writes letters or notes of appreciation.

Employees are prohibited from soliciting tips, personal gratuities or gifts from patients. Unsolicited gratuities and gifts may be accepted from patients only if such gifts are of the nominal value. Gifts should not be accepted if such acceptance would compromise the patient/clinician therapeutic relationship. To the extent possible, any acceptable gift should be shared with the employee's colleagues.

If a patient or another individual wishes to present a monetary gift, they should be referred to The Ottawa Hospital Foundation.

6. Gifts From Existing or Potential Vendors/Suppliers:

Employees may retain gifts and/or promotional items from vendors/suppliers and agents working on behalf of vendors/suppliers, only if such gifts and/or promotional

items are of the nominal value. TOH expects and trusts that employees will exercise good judgment and discretion in accepting gifts.

To the extent possible, any acceptable gift should be shared with the employee's colleagues.

7. Gifts Accepted Without Supervisor Approval:

In cases where an employee has notified their supervisor that he or she has accepted a gift prior to the supervisor's approval, the return of the gift will be coordinated collaboratively between the employee and supervisor. If the return of the gift is not possible, the supervisor will donate the gift to The Ottawa Hospital Foundation or redirect the gift to be shared amongst the employee's colleagues.

8. Exceptions:

Exceptions to this policy include:

- i. Vendor/Supplier Sponsored Entertainment
- ii. Events Educational/Conference Support

In making a decision to accept a gift under these exceptions, an employee should consider the following:

- i. reason for the gift;
- ii. whether it is appropriate;
- iii. his or her role at the hospital and how the acceptance of the gift might be perceived by others.
- iv. whether an obligation or reciprocity is implied for either party in the transaction.

As a standard of reasonableness, the employee should ask whether he or she would be comfortable telling his or her supervisor, peer or family about the gift.

➤ **Vendor/Supplier Sponsored Entertainment and Events**

At a vendor/supplier's invitation, an employee may accept meals and refreshments, as well as attendance at a workshop, conference or an information session at the vendor/supplier's expense, subject to the criteria above. Occasional attendance at a local theatre or sporting event or similar entertainment at a vendor/supplier's expense may also be accepted subject to the criteria above. In most circumstances, a regular business representative of the vendor/supplier should be in attendance with the employee.

All events outlined above must be reported to the employee's immediate supervisor and the Director, Purchasing prior to attending. The Director, Purchasing has the authority to deny the request if the hospital is in contract negotiation with the vendor.

➤ **Educational/Conference Support**

Donations in support of educational initiatives or professional development opportunities such as attendance at conferences, seminars or information

sessions may be accepted by a unit/department/program subject to the criteria above.

Any concerns regarding whether a donation may or may not be accepted should be referred to the Vice President of the unit/department/program or delegate.

For assistance with interpretation, consult with the Senior Vice-President of Human Resources.

Where an employee has received a gift under these exceptions, he or she will notify the Director of Purchasing so that a record of the gift can be kept.

9. Honorarium:

Employees who receive an honorarium from a Board or professional organization for services separate and apart from their employment responsibilities at The Ottawa Hospital are entitled to keep this honorarium on the condition that they report it to their supervisor and the supervisor is satisfied that no conflict of interest exists.

10. Reporting:

All employees are obligated to report to their immediate supervisor, any instances where they believe they or another employee have failed to comply with this policy.

When an employee is offered a gift, they shall discuss the offering with their immediate supervisor, manager, director, vice-president department head or delegate, who will decide whether the acceptance of the gift places or appears to place the employee under any obligation.

11. Failure to comply to this policy:

Employees who fail to comply with this policy are subject to disciplinary action up to and including dismissal.

RELATED POLICIES / LEGISLATION:

1. Criminal Code: s.119, 121, 122
2. [Financial Administration Act](#)
3. Canadian Nurses Association Standards of Practice
4. Canadian Medical Association – Practice Guidelines
5. Canadian Research-Based Pharmaceutical Companies Code of Marketing Practices
6. [Regulated Health Professions Act, 1991](#)

REFERENCES: N/A

COMMENTS / SIGNIFICANT REVISIONS: N/A