

Gifts and Sponsorship Policy, ADM X 260

Corporate Policy

Policy Purpose:

The Ottawa Hospital (TOH) is committed to safeguarding its reputation and minimizing the possibility of conflict between the private interests of Staff and their duties at the workplace. This policy provides direction and measures for Staff, volunteers and physicians when:

- presented with a Gift from Patients, Staff, Vendors, or others doing business with or seeking to do business with TOH
- soliciting or receiving unsolicited TOH sponsorship opportunities

Scope:

This policy applies to all Staff, including those using Administrative Funds.

Definitions:

Administrative Funds (the "Funds") – are an asset, particularly cash, received and held on deposit by TOH on behalf of the Fund Owner. The Funds are beneficially owned by the Fund Owner, restricted for a specific purpose by the Fund Owner, do not directly benefit the Hospital, and are excluded from TOH operations.

Black Out Period: The period of time from the commencement of a procurement process to the contract award and signing.

Conflict of Interest:

Any situation in which a Staff member has a personal, professional, occupational or financial relationship or interest that may affect or compromise, or appear to affect or compromise, their objectivity, judgment or actions in carrying out their duties.

A conflict of interest can be real, potential or perceived:

- A real conflict of interest arises where an individual has a bias, or a personal, occupational, professional or financial relationship or interest that may affect or compromise, or appear to affect or compromise, their work with TOH.
- A potential conflict of interest incorporates the concept of foreseeability: when an individual can foresee that a private or personal interest might someday be sufficient to influence their work with TOH, but has not yet (for example, an identified future commitment.)
- A perceived or apparent conflict of interest may exist when a reasonable, well-informed person has a reasonable belief that an individual has a conflict of interest, even if, in fact, there is neither a real nor a potential conflict.

Corporate Event: An event sponsored, hosted and organized by TOH to achieve specific corporate goals that align with the TOH strategic plan. These events can focus on either Staff or healthcare stakeholders. Events can include a conference, learning, hospitality or social activity and are typically held on site at the hospital.

Cumulative Value of Gifts or Sponsorships: The increasing value of the Gifts or Sponsorships as one party successively gives to another party.

Gift: 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, sponsorships, tickets or passes to events, hospitality, trips and offers of travel, accommodation, meals, entertainment, equipment, privileges or other personal rewards and special considerations. Gifts do not include grants, funding for research or fellowships.

Nominal Value: Less than fifty (\$50.00) Canadian dollars.

Patients: Individuals who have or will receive medical attention, care and/or treatment at TOH. For the purposes of this policy this definition includes the Patient's family, friends and support group.

Shared Gift: refers to any Gift received by a Staff member that is distributed to colleagues in the workplace to ensure equal access and prevent any appearance of favoritism. The primary objective of sharing a Gift is to promote fairness, transparency, and equity, ensuring that no individual benefits disproportionately from the gift.

Sponsorship: a voluntary transfer of property, usually money, from one person or entity to another to fund or support an event or project. Sponsorship opportunities may arise via TOH intentionally seeking an opportunity (soliciting) or a person or entity approaching TOH (unsolicited).

Staff: Permanent or temporary, full-time, part-time, casual or contract employees, trainees and volunteers, including but not limited to physicians, residents, interns, researchers, students, and any other individuals who perform work or supply services at TOH.

Vendor: Any person, company or contractor that sells and/or provides goods or services (including but not limited to construction and consulting) to TOH. This definition includes both current and prospective Vendors.

Policy Statement(s):

All Staff must avoid accepting and/or giving Gifts from/to Patients, Staff, Vendors or others doing business with or seeking to do business with TOH, subject to the limited circumstances permissible by this policy.

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

No Staff shall accept a Gift that could influence their decision on any TOH business including procurement.

The acceptance of nominal, non-monetary Gifts may be permissible, upon supervisory approval, however the acceptance is expected to be transparent and shareable where possible and may be audited.

Staff shall not accept gifts, including non-monetary Gifts during the Black Out Period.

Monetary Gifts

No Staff shall accept money of any denomination presented to them as a Gift. If a Patient or another individual wishes to present a monetary Gift, they should be referred to The Ottawa Hospital Foundation.

Nominal Value (less than \$50.00)

Gifts of nominal value presented to Staff, directly or indirectly, must be reported to the Staff's supervisor immediately upon offer, where possible, or upon receipt if not, before the end of the shift.

Upon receiving notification from the Staff of the presentation of a Gift, the immediate supervisor will determine whether the Gift is of nominal value and/or is permitted by this policy. The immediate supervisor will take into consideration the Cumulative Value of Gifts.

In cases where the immediate supervisor deems the Gift to be of Nominal Value, the supervisor will advise the Staff that the Gift may be accepted.

Exceeding Nominal Value (greater than \$50.00)

Staff must not accept a Gift until any Conflict of Interest has been cleared and/or supervisor approval granted. All Gifts exceeding Nominal Value presented to a Staff member, directly or indirectly, must be reported to the Staff's supervisor immediately upon offer, where possible, or upon receiving it if not, before the end of the shift.

In cases where the immediate supervisor deems the Gift to exceed the Nominal Value, the supervisor will advise the Staff that the Gift cannot be accepted and will redirect the Gift, as appropriate. The supervisor will advise the Staff as to where the Gift has been redirected.

Gifts from Patients

TOH recognizes that Patients may wish to express their appreciation to Staff. In these instances, Staff may suggest that the Patient write letters or notes of appreciation.

Staff 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 must 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 Staff's colleagues.

Gifts from or to Staff or The Ottawa Hospital

Staff cannot use TOH funds to purchase Gifts, including gift cards, for other Staff, Patients, Vendors or others doing business with or seeking to do business with TOH, unless specifically approved by the CFO or CEO.

Staff may receive Gifts from TOH only as part of an approved and funded Corporate Event or initiative, for example, staff appreciation week, long service awards, or the leader's discretionary fund.

Gifts from Vendors

Staff may retain Gifts and/or promotional items from Vendors and agents working on behalf of Vendors only if such Gifts and/or promotional items are of the Nominal Value. Exceptions may be made for Vendor sponsored entertainment, corporate events and educational or conference support. TOH expects and trusts that Staff will exercise good judgment and discretion in accepting Gifts.

To the extent possible, any acceptable Gift should be shared with the Staff's colleagues.

In making a decision to accept a Gift from existing or potential Vendors, Staff should consider the following criteria:

- The reason for the Gift,
- Whether it is appropriate to accept a Gift,
- Their role at TOH and how the acceptance of the Gift might be perceived by others,
- Whether an obligation or reciprocity is implied for either party in the transaction,
- TOH Conflict of Interest Policy

As a standard of reasonableness, the Staff member should ask whether they would be comfortable telling their supervisor, peer or family about the Gift and consider how it would be perceived by the general public.

Vendor Entertainment and Events:

Subject to the criteria noted above, Staff may accept meals and refreshments at a Vendor's invitation, when attending workshops, conferences, or information sessions at the Vendor's expense. Occasional attendance at a local theatre or sporting event or similar entertainment at a Vendor's expense may also be accepted subject to the criteria above. In most circumstances, a regular business representative of the Vendor should be in attendance with the Staff.

To mitigate the risk of procurement conflicts, all Vendor entertainment and events outlined above must be reported (via email) to and approved (via email) by the Staff's immediate supervisor and the Chief Procurement Officer or delegate prior to attendance. The Chief Procurement Officer reserves the right to reasonably deny the request if for example, TOH is in the Black Out Period of a procurement process or contract negotiation with the Vendor.

Educational/Conference Support:

Subject to the criteria noted above, Gifts may be accepted by a unit/department/program if they are in support of educational initiatives or professional development opportunities such as attendance at conferences, seminars, lunch and learns or information sessions.

Honoraria

Staff who receive an honorarium from a board, professional organization or Vendor for services separate and apart from their employment responsibilities at TOH are entitled to keep this honorarium on the condition that they report it to their supervisor and the supervisor is satisfied that there is no Conflict of Interest present.

Gifts Reporting

In advance of accepting a Gift from an existing or potential Vendor, all Staff will notify the Chief Procurement Officer by email so that any procurement conflict of interest can be cleared, and a record of the Gift can be kept.

All Staff are obligated to report to their immediate supervisor any instances where they believe they or other Staff have failed to comply with this policy.

Any concerns regarding whether a Gift may or may not be accepted should be referred to the Executive Vice President of the unit/department/program or delegate. For assistance with interpretation, consult with the Chief Procurement Officer.

Questions regarding the Conflict of Interest Policy can be directed to the Senior Legal Counsel, Employment and Compliance.

Gifts Accepted Without Supervisor Approval

In cases where a member of Staff has notified their supervisor that they have accepted a Gift prior to the supervisor's approval, the return of the Gift will be coordinated collaboratively between the Staff member and supervisor. If the return of the Gift is not possible, the supervisor will offer to donate the Gift to The Ottawa Hospital Foundation or redirect the Gift to be shared amongst the Staff's colleagues. If the return of the Gift is not possible (e.g. Staff attended an event), the supervisor will notify the Chief Procurement Officer so that a record of the Gift can be kept.

Solicited Sponsorship by TOH

When a person or entity provides sponsorship of a Corporate Event or project, TOH advertises or promotes their brand, products or services. Sponsorship is time limited to the event or project. Sponsorship is not an endorsement of a brand, product or service by TOH.

Financial sponsorship is preferred; however, sponsorship can include Gifts, products or services. If items are logistically challenging to distribute, they will not be accepted in exchange for sponsorship.

Sponsorship funds are to be allocated to the applicable Corporate Event or project specified but are otherwise unrestricted. Any surplus can be allocated to other Corporate Events or projects.

The solicitation of sponsorships shall be conducted in a manner that enhances openness, transparency, and fairness.

TOH vendor lists will not be used to canvas sponsors.

Sponsorships will not be accepted from companies, industries, groups or individuals that do not represent the values of TOH. These include, tobacco companies, alcohol companies, manufacturers of firearms and/or weapons of mass destruction.

TOH Procurement and TOH Foundation are important collaborating partners that must be engaged before any sponsorship solicitation activities begin:

- The Chief Procurement Officer reserves the right to reasonably deny the request if for example, TOH is in the Black Out Period of a procurement process or contract negotiation with a potential sponsor.
- TOH Foundation (TOHF) will identify any donor relation factors (e.g. moratorium, conflict, other preferences). As such, TOH staff will engage TOHF's Vice President, Philanthropy Operations to ensure the sponsorship is appropriate.

All Corporate Events or projects soliciting sponsorship must be approved by the EVP Finance and CFO or CEO and a written agreement executed.

Sponsorship Reporting

TOH Staff responsible for the corporate event or project arrangements will document the sponsorship program (or unsolicited sponsorship) applicable to the approved corporate event or project and maintain records of persons and/or entities invited to sponsor and accepted as sponsors, including signed agreements, receipt and accounting of the funds, goods and/or services received.

Requests for TOH Sponsorship

All requests for TOH to sponsor any activity must be approved by the TOH Chief Communications Officer.

Failure to Comply with This Policy

Staff who fail to comply with this policy are subject to the Just Culture approach regarding decision-making which may result in disciplinary action up to and including dismissal.

Related Documents:

- [Conflict of Interest Policy ADM II 370](#)
- [Fraud Awareness and Prevention Policy ADM IV 310](#)
- [Travel, Meal and Hospitality Expenses ADM IV 100](#)

Related Legislation or Regulatory Requirements:

- *Broader Public Sector Accountability Act, 2010*, S.O. 2010, c. 25
- *Financial Administration Act*, [RSO 1990, c F.12](#)
- *Regulated Health Professions Act, 1991*, [S.O. 1991, c. 18](#)
- *Criminal Code*, R.S.C., 1985, c. C-46, Part IV, s.121

References:

None