Gifts and Hospitality Policy

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Contents

Introduction

1. The acceptance of gifts or hospitality, even of a modest nature, can cause suspicion and loss of confidence in the integrity of the employee. It is contrary to the standards of conduct expected from employees within the public service to solicit any gift or consideration as an inducement or reward, or, as employees of the College, to accept any fee or reward other than salary, unless formally approved. This policy applies to all employees of the College. It also applies to Corporation members.

Definitions

2. Gifts – something voluntarily donated with no preconditions and with the expectation of anything in return. Under 'Managing Public Money', gifts are also transactions that are economically indistinguishable from gifts including:
    - A loan of an asset for its expected useful life
    - Sale or lease of assets at below market value (the difference between the market value and amount received is the gift), including to private sector bodies
    - Donations from other government departments

    Grants are not considered gifts as they are made under legislation and subject to conditions.

3. Sponsorship is payment to a charity, social project, or business for which the sponsor receives something in return.
4. Donations are payments to third parties where nothing is received in return and therefore should be treated within the definition of a gift.
5. Food, drink, and entertainment provided by a company for business associates including stakeholders.

Receipt of Gifts, Benefactions, and Donations:

6. It is an offence under the Bribery Act 2010 for members of staff to accept corruptly any gift or consideration as an inducement or reward for doing, or refraining from doing, anything in an official capacity or showing favour or disfavour to any person in an official capacity. The guiding principles to be followed by all members of staff must be:
    - the conduct of individuals should not create suspicion of any conflict between their official duty and their private interest and
    - the action of individuals acting in an official capacity should not give the impression (to any member of the public, to any organisation with whom they deal or to their colleagues) that they have or may have been influenced by a benefit to show favour or disfavour to any person or organisation.

7. Thus, members of staff should not accept any gifts, rewards, or hospitality (or have them given to members of their families) from any organisation or individual with whom they have contact in the course of their work that would cause them to reach a position whereby they might be, or might be deemed by others to have been, influenced in making a business decision as a consequence of accepting such hospitality or gifts. Cash gifts must not be accepted.
8. When it is not easy to decide between what is and what is not acceptable in terms of gifts or hospitality, the offer should be declined, or advice sought from the Governance Director. However, it is acknowledged that small gifts such as pens, diaries or calendars, or hospitality such as a coffee and sandwich, providing it is valued at less than £20, can be ignored for the purposes of declaration.
9. Where it is determined that a gift over £20 may be accepted, it may be appropriate for the gift to be shared across a team or entered into a raffle. The Governance Director, in consultation with the Chief Executive Officer or Chief Financial Officer, will advise on an appropriate outcome.
10. Gifts valued at more than £300,000 must be treated in accordance with 'Managing Public Money'.

Hospitality

11. It is not always possible or desirable to reject offers of hospitality, for example attending a function in an official capacity, or having a working lunch. Hospitality in these circumstances is defined as any seminar, conference, event, lunch/dinner, or other form of entertainment provided free of charge by a body external to the College. Hospitality should only be accepted when it is reasonably incidental and appropriate to the circumstances. It is acknowledged that staff at senior levels in the organisation, may from time to time be offered hospitality in connection with their responsibilities as Senior Managers in the College. The following rules will apply in determining the acceptability and extent of hospitality:
    - Hospitality should be accepted only if directly relevant to the Manager's responsibilities.
    - Hospitality must not be accepted if this is seen as compromising the Manager's position in connection with contractual commitments or negotiations arising therefrom.
    - Hospitality may be accepted if it is considered beneficial to the College (e.g. projection of its role in a positive light or in connection with its role within the Community and with its partner organisations). If in doubt about the propriety of accepting hospitality the employee must consult with a member of the Senior Leadership Team.
    - Hospitality must, if accepted, be reasonable in the light of its extent and nature and must not put in doubt the Manager's integrity and impartiality.

Giving of gifts or hospitality

12. This policy also applies to the giving of gifts or hospitality that could meet the threshold for any rule already defined within this document.
13. Students and prospective students are not considered as stakeholders within this policy, as long as any gift or hospitality activity can be viewed by a third party as business-as-usual.

Procedure for Registering Gifts or Hospitality

14. Hospitality/gifts that are accepted by an employee/governor within these guidelines, must be registered by that employee/governor with immediate effect if its value is deemed to be over £20.
15. Should an employee be in any doubt about the propriety of accepting a gift or offer of hospitality, they should consult their line Manager and a member of the Senior Leadership Team. If the Chief Executive Officer is in any doubt about the propriety of accepting a gift or offer of hospitality, they should consult the Governance Director. If a governor is in doubt, they should consult with the Chair or Governance Director.
16. If this is not possible at the time, the facts should be reported immediately afterwards. Acceptance of a gift or hospitality which is outside of these guidelines, and/or failure by an employee to notify the line Manager may be dealt with under the disciplinary procedure.
17. A copy of the form to be used to register either a gift or the receipt of hospitality is attached.
18. A register of all hospitality and gifts must be maintained by the Governance Director and be available for inspection by Audit as and when required. This register should include all staff and Members of the Governing Board.

Corporation Members

19. Corporation Members are responsible for approving major College contracts and it is therefore possible that they may come into contact with suppliers. As such, it is considered appropriate to apply this policy to Members of the Governing Board.

Buying/Selling of Personal Goods:

20. Staff must not become involved, in any way, in the buying from or selling of personal goods for a client. This can be open to misinterpretation.

Further Advice

21. Further advice on all the above is available from the Governance Director.

Gifts and Hospitality Form

(To be completed by recipient, authorised, and returned to the Governance Director)

Name of Recipient of Gift/Hospitality: ____________________________________

College/Service area: ____________________________________

Gift/Hospitality from: ____________________________________

Date Gift/Hospitality Received: ____________________________________

Cost of Gift/Hospitality (or estimation): £ ______________________________

Details of Gift/Hospitality:

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Signed: ______________________________ Date: ____________________

AUTHORISED: (by one of the following)

Principal/Chief Executive Officer________________________ Date_________

Chief Finance Officer ________________________________ Date_________

Governance Director ________________________________ Date_________