

Policy for the Offering or Receipt of Gifts, Hospitality and Other Benefits

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The purpose of this Policy is to protect staff and members of Court and to avoid any conflict of interest (actual or perceived) that places them in a position that may call into question their conduct or judgement in the context of their work for the University.

Contents

1.	Introduction	3
2.	Definitions	3
3.	Principles	3
4.	Gifts	4
	Gifts from Visitors to the University	4
	Gifts from students	4
	Gifts from others	5
5.	Hospitality	5
	Offers of Hospitality from a potential supplier during the contract award tender process	6
6.	Other Benefits	7
7.	Guidance on Retention of Gifts and Other Benefits	7
	Examples of unacceptable Gifts/Hospitality/Benefits:	7
8.	Staff Offering Gifts or Hospitality	8
9.	Reporting	8
10.	Other Relevant Policies & Procedures	9
	Appendix A - Pro Forma for the Declaration of Gifts, Hospitality or other Benefit.....	10

1. Introduction

- 1.1 The University is committed to the highest standards of openness, integrity and accountability. It seeks to conduct its affairs in a responsible manner, having regard to the Nine Principles of Public Life in Scotland.
- 1.2 The University expects staff and members of Court to exercise the utmost discretion in giving and accepting gifts, hospitality and other benefits when on University business. All members of staff are expected to disclose any offers of gifts or hospitality accepted or declined.
- 1.3 Members of Court and Senior Officers are required to annually disclose interests in the University's Register of Interests maintained by Strategy and Policy. [The University's Code of Practice on Conflicts of Interest](#) also provides a mechanism for members of staff to have a potential conflict of Interest officially assessed and recorded.
- 1.4 The purpose of this Policy is to protect staff and members of Court and to avoid any conflict of interest (actual or perceived) that places them in a position that may call into question their conduct or judgement in the context of their work for the University.
- 1.5 The Policy recognises that the environment in which the University operates requires the formalisation of common understandings. It also recognises the practical realities that there will be circumstances where the receipt of small gifts will be appropriate; that, on occasion, refusal of gifts could cause offence and be to the detriment of the University; and, similarly, that there are circumstances in which it is appropriate to accept offers of hospitality.
- 1.6 Appropriate and proportionate monitoring must be in place across the University to make transparent that the integrity and professionalism of staff is not compromised.

2. Definitions

- 2.1 Gifts are defined for the purposes of this Policy as items that are given or received for which no payment or service was given or received in return.
- 2.2 Hospitality is defined for the purposes of this Policy as any food, drink, accommodation or entertainment provided free of charge or heavily discounted.
- 2.3 Other Benefits can cover a number of areas. Staff must be alert to the need for caution. Examples might include sponsorship or the offer by a supplier of a favour or preference (such as a discount for the purchase of an item for personal use) which is not generally available to University staff or members of Court.

3. Principles

- 3.1 The guiding principles relating to the acceptance of gifts, hospitality or other benefits are:
 - Staff must not accept gifts, hospitality or other benefits of any kind from a third party where it might be perceived that their personal integrity is being compromised, or that the University might be placed under an obligation;
 - There should be no direct or perceptible indirect link with the receipt of a gift or hospitality to any formal procurement process for goods or services;

- In the course of University activities, staff may offer and receive gifts and hospitality which are reasonable and proportionate to the business being undertaken, and the circumstances in which it is offered and received;
 - It is important that the giving or receiving of gifts and hospitality can stand up to internal and public scrutiny;
 - All spend on gifts and hospitality is subject to value for money considerations and the normal approvals required by the Principal Budget Holder;
 - Staff have a duty to declare gifts and hospitality offered and received (even if declined);
 - In circumstances where declining a gift or hospitality may cause offence (e.g. gifts from foreign dignitaries or religious leaders), the gift or hospitality may be accepted but such gifts would normally be donated to, or raffled in aid of, charitable causes;
 - Staff must not make use of their official position to further their private interests or those of others;
 - If a member of staff subsequently finds that they are in the position of taking a decision on a matter where earlier receipt of a gift or hospitality or other benefit (in either a personal or professional capacity) might be interpreted as having compromised their integrity the conflict of interest should be declared in line with the [University's Code of Practice on Conflicts of Interest](#);
 - It is a disciplinary offence for a member of staff to accept gifts, hospitality or any other benefit as an inducement or reward that leads them in an official capacity to show favour or disfavour, to any individual or organisation. Any disciplinary action will be in accordance with the University's Disciplinary procedure.
- 3.2 The Policy principles apply to all staff, members of Court and third parties acting on behalf of the University and to all University activities undertaken in the UK or overseas.

4. Gifts

Gifts from Visitors to the University

- 4.1 Gifts of a nominal value (<£50) from visitors from other universities or organisations can normally be accepted without question. Frequently these are mementoes of the visitor's own institution/organisation. According to the nature of the visit and of the gift, it will be a matter of discretion whether the gift is retained by the individual to whom it was given, or retained by the department: the latter might be more appropriate in cases where the gift can be put on display.
- 4.2 Gifts of significant value are occasionally offered by 'official' visitors and it would normally be inappropriate to decline them. However, they must not be retained by the recipient for personal use, but must be regarded as University property. The appropriate location for their retention/storage/display will depend on the nature of the gift. The appropriate University Officer must be consulted according to the nature of the gift and its value (e.g. the Chief Financial Officer or the University Secretary and Compliance Officer). Gifts of significant monetary value must not be retained at department level without such consultation.

Gifts from students

- 4.3 Students are discouraged from making gifts to members of staff. However, there may be occasions when students make token gifts to staff of low value, in

appreciation of support received during their studies which staff may feel unable to refuse. Staff may accept such gifts but must declare them in accordance with this policy and procedures. If a student offers or delivers a gift to a member of staff which could be misinterpreted by others or could lead to allegations of impropriety, staff are advised to politely refuse and return the gift immediately, explaining this policy as the reason.

Gifts from others

- 4.4 Gifts from individuals or bodies with, or wishing to have, a formal relationship with the University (e.g. applicants and students or their immediate relatives; suppliers; contractors; etc) should not normally be accepted. This is particularly important if a formal procurement process for goods or services is being undertaken in which the individual or body may have an interest. (See section 6.8-6.10)
- 4.5 There will be limited exceptions to this general rule: for example the following may be accepted:
- promotional items such as diaries, calendars, ties, scarves, golf umbrellas;
 - gifts of books by publishers to academic staff, provided that the books received are relevant to the academic interests of the member of staff.
- 4.6 However, in all cases caution must be exercised in the receipt of items of any value, and it is essential that members of staff do not put themselves in a position where they might be regarded as receiving any benefit or gift as an inducement or reward for taking any action (or specifically not taking action) or showing favour. **In any case of doubt, staff must consult their Head of School/Department/Dean/Director as appropriate.** In the rare situation where refusal of a gift would give rise to offence detrimental to the University, the gift must immediately be declared, and surrendered to, the relevant Head of School/Department/Director. The Head of School/Department/Director must then consult with the appropriate University Officer regarding retention or disposal of the gift.

5. Hospitality

- 5.1 University staff must avoid accepting gifts of hospitality that could be construed as offering an outside contractor or organisation an undue influence over their professional work. This would include services extended to a University staff member or their immediate family at no cost or at preferential rates by an interested outside individual, contractor or other party, whether or not the offer was extended in that staff member's official capacity. Such hospitality could include:
- meals,
 - admittance to ticketed events,
 - travel packages,
 - other hospitality
- This also includes add-ons that might be attached to a trip for official University business, professional conference or recruiting trip, such as:
- preferential hotel rates,
 - free entertainment.

- 5.2 Staff attendance at sporting, cultural or similar events at the invitation of suppliers, potential suppliers or consultants is not generally acceptable to the University.

Similarly, the acceptance of invitations by suppliers, potential suppliers or consultants to participate in social, sporting and similar activities (for example golf days or activity days) is not generally acceptable to the University.

- 5.3 In the course of attending events hosted by outside organisations, University staff members must be alert as to the propriety of any supplementary offer of hospitality and whether it could be seen as offering influence or advantage to an outside party.
- 5.4 This Policy however should not be construed as extending to hospitality normally offered as part of a professional activity, for example, as part of conference attendance or as an external examiner. There is nothing untoward about such offers, which are well-established, non-preferential practices, and would not normally be construed as an attempt to gain influence with the University. A further area of activity where it may well be in the University's interests that hospitality is accepted relates to fundraising and the building of relationships with potential donors: this is of particular relevance to staff in Development and Alumni.
- 5.5 Modest hospitality, provided it is reasonable in the circumstances, such as lunches or other meals in the course of working visits, is generally acceptable provided its acceptance is consistent with the principles set out above. Such hospitality should normally be similar to the scale of hospitality that the University would be likely to offer in similar circumstances.
- 5.6 There will, more generally, be occasions when it is in the University's interests for an offer of external hospitality to be accepted. When determining whether to do so, staff must take into account whether the offer is made through an official channel or direct to the individual; whether the offer is generally available or targets the individual; whether the offer could be construed as giving an interested party an advantage in negotiations or other interactions with the University and conversely whether declining the offer may have significant adverse consequences for the University.
- 5.7 Staff members must refuse offers which unduly benefit themselves as individuals and/or could give an outside party undue influence or advantage. **In any case of doubt, staff must consult their Head of School/ Department /Dean/ Director as appropriate.**

Offers of Hospitality from a potential supplier during the contract award tender process

- 5.8 Particular care should be taken when staff members are offered any form of hospitality from an individual, supplier or organisation which has, or is hoping to have, a contractual relationship with the University.
- 5.9 A member of staff must not accept hospitality from any individual or organisation that is actively involved in bidding for a University contract. Acceptance of gifts and hospitality by University members of staff from potential suppliers is strictly prohibited during the preparation period of the tender documentation and during the period of submission evaluation and contract awarding.
- 5.10 Prior to accepting Corporate Hospitality, the individual and their line manager should review the circumstances of the invitation in the context of current procurement activities. In the case that a conflict may exist, or be perceived to exist, the invitation must be refused. If there is any uncertainty with regard to whether ongoing procurement activity may be affected, the member of staff should review the circumstances of the invitation with the appropriate contract manager within Procurement Services.

6. Other Benefits

- 6.1 There are few other benefits offered to University staff by third parties, but staff must be alert to the need for caution should such circumstances arise.
- 6.2 Examples might also include sponsorship or the offer by a supplier of favour or preference (such as a discount for the purchase of an item for personal use) which is not generally available to University staff. Such benefits should normally be declined.
- 6.3 The University requires its employees who have official dealings with contractors and other suppliers of goods and services to the University to avoid conducting any private business with them by any means other than available through normal commercial channels.

7. Guidance on Retention of Gifts and Other Benefits

- 7.1 In considering whether a gift or benefit should be retained personally, the concepts of proportionality and materiality will be relevant. That is to say, considerations of the value of the gift/benefit in relation to the circumstances in which it is given or to the means of the donor. However, the absolute value of a gift/benefit is at least as important as a criterion. Whilst this will always be a matter of judgement, as a guide it is suggested that a gift/benefit worth more than £50 should not normally be retained personally, and only after consultation with the appropriate Head of School/Department/Dean /Director.

Examples of unacceptable Gifts/Hospitality/Benefits:

- Money/Giftcards/vouchers - personal gifts of money (or monetary instruments) must never be accepted regardless of amount;
- All gifts with a value above £50. Acceptance of gifts above £50 should be discussed, ideally in advance, with the relevant Dean, Director, Head of Department/School as appropriate;
- Any gifts or hospitality where it is felt that there might be perceived to be a suspicion of dishonesty or a suggestion that decision-making may have been influenced, irrespective of value;
- Any gifts/hospitality given in secret;
- Gifts/hospitality which are disproportionate, lavish or expensive, particularly where received on a frequent basis from the same source;
- Frequent acceptance of meals, tickets and invitations to sporting, cultural or social events;
- Travel or accommodation which does not have a clear business purpose;
- Holidays;
- Offers of items or services for personal use at trade or discounted price other than discounts generally available to all or most members of staff;
- Acceptance of gifts/hospitality which could be deemed as influential in the award of a contract or business to an external organisation – note that the perception of others is critical. It is expressly prohibited for a member of staff to accept any gift, hospitality or benefit from an organisation that is actively involved in a tender process at the University;

- Inducements that could lead to a contractual position between the University and a supplier, contractor or consultant;
- Acceptance of “gifts in kind” such as professional expertise which would normally incur a fee;
- It is unacceptable to ask for gifts and/or hospitality;
- Any gift from a student where a staff member could be **perceived** as being able to influence student marks and grades, progression or awards.

8. Staff Offering Gifts or Hospitality

- 8.1 In the course of University business staff may offer gifts and hospitality which are reasonable and proportionate to the business being undertaken, and the circumstances in which it is offered. The offer of gifts and corporate hospitality should have a demonstrable link to the work of the University, represent value for money and utilise University branded goods as appropriate.
- 8.2 The offer of gifts or hospitality should follow the same principles as the decision to accept gifts or hospitality detailed in this policy. Staff should never offer gifts or hospitality around key decision milestones such as student admissions, assessment or awards or contract procurement. Lavish expenditure on gifts and hospitality is not permitted under this Policy, including travel and accommodation.
- 8.3 The giving of gifts by University staff to external individuals or organisations over a known or estimated value of £50 requires authorisation. Spend below £50 is still subject to the normal approvals required by the principal budget holder for the faculty, department/school or directorate and value for money considerations. All gifts and hospitality offered to foreign public officials must be approved in advance by the relevant Director or Dean.
- 8.4 Cash should not be given as a gift under any circumstances. Cash equivalents, such as vouchers or discount cards, should not be given except in specific circumstances where a modest token of gratitude is appropriate, e.g. volunteering activities such as research participants.
- 8.5 Staff should record offers made of gifts and hospitality in the same way as the acceptance/refusal of gifts, hospitality or benefits. (See Section 10)

9. Reporting

- 9.1 The Gifts and Hospitality Register is a tool to promote transparency in gifts and hospitality transactions and serves as an audit trail to protect individuals and the University from allegations of impropriety. It will be used for reporting and disclosure purposes, including Freedom of Information requests.
- 9.2 The register will be open to inspection by the internal and external auditors and may be released and/ or published in accordance with Freedom of Information (Scotland) Act requirements. It is the responsibility of each person in the scope of this policy to ensure that they comply with this Policy.
- 9.3 Staff or any third party acting on behalf of the University are required to record the acceptance/refusal/offer of gifts, hospitality or benefits with a value in excess of £50.00 and any gifts to/from students to the appropriate member of staff within their area of the University within 28 days of the offer being received.
- 9.4 Members of Court:
- Should record receipt of gifts in their annual Register of

- Interests submission which forms part of the Conflict of Interest Policy.
- 9.5 Senior Officers and Deputy Associate Principals:
- Should record the acceptance of offers of gifts and hospitality by way of an annual return, to be submitted to the USCO by 31st January. This will be reported by the USCO to the Audit & Risk Committee.
- 9.6 Deans, Heads of Department/School and Professional Service Directors:
- Should ensure that all staff and individuals working on their behalf are made aware of the Gifts and Hospitality Policy and their responsibilities.
 - Should record and regularly monitor the offer or acceptance of gifts and hospitality by members of staff and third parties working on their behalf. A return of this information should be submitted to the USCO by 31st January annually. Where there is no record of any gifts and hospitality then a Nil Return should be submitted.
- 9.7 All staff:
- Should ensure that any offer/acceptance/refusal of gifts and hospitality is recorded within 28 days of its receipt, and submitted to the appropriate person within their area of the University, using the pro-forma suggested in Appendix A.
- 9.8 The register will be open to inspection by the internal and external auditors and may be released and/ or published in accordance with Freedom of Information (Scotland) Act requirements. It is the responsibility of each person in the scope of this policy to ensure that they comply with this Policy.
- 9.9 The University's record of hospitality and gifts, signed off by the relevant Head of Department/School/Dean/Director, will be reviewed annually. The USCO will provide the Audit & Risk Committee with an annual report on the register of gifts and hospitality.

10. Other Relevant Policies & Procedures

The University has a number of related policies and procedures which include:

- [Anti-Bribery and Corruption Code of Conduct](#)
- [Code of Practice on Conflicts of Interest](#)
- [Fraud Prevention Policy](#)
- [Public Interest Disclosure \(Whistleblowing\) Policy](#)
- [Financial Regulations](#)

Appendix A - Pro Forma for the Declaration of Gifts, Hospitality or other Benefit

An offer (whether or not it is accepted) of gifts, hospitality or other benefit with a value in excess of £50.00 (or equivalent) must be formally registered using this pro-forma within 28 days of the date of receipt.

Name (block capitals)	
Department/School/ Directorate	
Date of Offer of Gift/ Hospitality/Benefit	
Person or Organisation offering the Gift/ Hospitality/Benefit	
Brief Details of Gift/ Hospitality/Benefit	
Estimated or Actual Value of Gift/ Hospitality/Benefit	
Was the Gift/ Hospitality/Benefit accepted?	YES/NO
If it was accepted was it retained personally?	
If not retained personal, where is it held?	

Signed:

Date:.....

Completed forms should be returned to the relevant Head of Department/School / Dean / Director of Professional Service or their respective nominee. In respect of Senior Officers and Deputy Associate Principals, the completed forms should be returned to the USCO's office.