



Gifts, Hospitality & Declarations of Interest Policy

Policy Area: Finance

Policy Lead: Executive Director Finance

Approval By: Board

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1. Introduction

- 1.1. The purpose of this policy is to advise staff and Governors of procedures to be followed when accepting gifts and hospitality, or when a conflict of interests may arise that should be declared to the college.
- 1.2. This policy applies to all staff employed by the college and to all Governors of the college. This policy and the associated procedures are non-contractual and can be subject to change or withdrawal at any time.

2. Responsibilities and obligations

- 2.1. The policy applies to all members of staff and Governors. Responsibilities under the policy are as follows:

All staff	All staff who receive gifts or hospitality or have a reason under the policy to make a declaration regarding conflicts of interest
Governors	All Governors who receive gifts or hospitality or have a reason under the policy to make a declaration regarding conflicts of interest
Director of Governance	Ensuring a record is kept of all declared gifts and hospitality; register of Governor and staff interests and any declared conflicts of interest.

3. Background

- 3.1. As required by the [Bribery Act 2010](#), the college is to conduct its activities in an honest and ethical manner. The college takes a zero-tolerance approach to bribery and corruption and expects the highest standards of propriety in the conduct of business.
- 3.2. All members of staff and Governors have a responsibility to protect the reputation of the college and should exercise extreme caution in the receipt of gifts and hospitality. Managers should ensure that staff are aware of their responsibilities. This policy aims to help protect staff from allegations of impropriety. Members of staff include employees, agency contract workers or self-employed workers engaged by the college.

4. Acceptance of gifts and/or hospitality

- 4.1. Members of staff and Governors should not accept or offer corruptly any gift or consideration (or have them given to members of their families) 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.
- 4.2. The guiding principles to be followed are:
 - 4.2.1. The conduct of individuals should not create suspicion of any conflict between their official duty and their private interest.
 - 4.2.2. 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 been (or may have been) influenced by a benefit to show favour or disfavour to any person or organisation.
- 4.3. College staff and Governors 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. The frequency and

scale of hospitality accepted should not be significantly greater than the institution would be likely to provide in return.

- 4.4. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. Gifts and hospitality should only be accepted when the individual is certain that in so accepting, the individual does not place the college in a position where its reputation for scrupulous behaviour could in any way be jeopardised.

5. Receipt of gifts

- 5.1. In order to minimise any potential perceptions of impropriety, bias or prejudice, staff are required to refuse any business gifts or hospitality that is other than of insignificant value (less than £50) or where refusal may cause undue offence. All such receipts other than the most trivial are to be recorded by the Director of Governance (or their nominee).
- 5.2. Gifts in excess of £50 should generally be returned with a polite refusal. Where refusal of a gift might give serious offence it should be cleared by the CEO and reported to the Director of Governance to determine whether the circumstances are such that it may be retained and how it should be dealt with. Under no circumstances must a member of staff or Governor accept an offer of cash.
- 5.3. Where the individual is uncertain as to the intentions of the donor of the gift or the propriety in accepting the gift, irrespective of the value, advice should similarly be sought from the Director of Governance. Examples might be gifts which could be seen as intending to influence the outcome of an exam, admission to the college or the award of business.
- 5.4. Where acceptance of a gift or hospitality could give rise to suspicion of a conflict between the performance of official duties and personal interest, it should always be declined, irrespective of value.
- 5.5. Not included in the above are items that that are given from work colleagues such as leaving or birthday presents.

6. Receipt of hospitality

- 6.1. 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:
 - 6.1.1. Hospitality should be accepted only if directly relevant to the individual's responsibilities.
 - 6.1.2. Hospitality must not be accepted if this might be seen as compromising the individual's position in connection with contractual commitments or negotiations.
 - 6.1.3. 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, Governors and members of staff should consult with the Director of Governance.
 - 6.1.4. Hospitality must, if accepted, be reasonable in the light of its extent and nature and must not put in doubt the individual's integrity and impartiality.

7. Procedure for registering gifts or hospitality

- 7.1. A register of all hospitality and gifts must be maintained by the Director of Governance and be available for inspection by auditors or the Audit, Risk & Compliance Committee as and when required.
- 7.2. The acceptance of hospitality/gifts must be in accordance with the College's Financial Regulations.
- 7.3. Where hospitality/gifts are accepted by a member of staff or Governor under this policy, these must be registered as soon as possible after receipt by completing the Receipt of Gifts & Hospitality Form (*see Appendix 1, also available on the intranet and Diligent Boards*). Acceptance of a gift or hospitality which is outside of these guidelines, and/or failure by a member of staff or Governor to notify the Director of Governance, may be dealt with under college procedures.
- 7.4. If the Director of Governance is in any doubt about the propriety of accepting a gift or offer of hospitality, the Director of Governance should consult the Chair of the Board or the college's legal advisors.

8. Offers of gifts or hospitality

- 8.1. Staff and Governors should follow similar principles to those outlined above when considering the offer of a gift or hospitality in connection with the college in ensuring that it is proportionate to the circumstances and could not be seen as in any way undermining the integrity and reputation of the college. Contractors, subcontractors and agents will be expected to behave in the same way.

9. Conflicts of interest

- 9.1. In order to minimise any potential perceptions of conflict of interest, staff and Governors are required to register with the Director of Governance any interests in bodies with whom the college may do business by completing the Register of Interests Form (*see Appendix 2 – also available on the intranet and Diligent Boards*). Should any business decision arise which may affect the interest of a staff member or Governor, they are to declare it and to offer to withdraw from the decision-making process; the Director of Governance holds the register of such declarations and decisions.
- 9.2. The register invites staff and Governors, especially senior post holders and those with a high level of financial responsibility, to record interests in the following areas of activity:
 - 9.2.1. Directorships, trusteeship or participation in the management of charities, membership of professional bodies, trade union etc.
 - 9.2.2. Buying/selling of personal goods: members of staff or Governors must not become involved in any way in the buying from or selling of personal goods on behalf of a client/supplier. This can be open to misinterpretation.
 - 9.2.3. Employment, office of profession or other activity e.g. undertaking external work, either in college time or externally, which represents a conflict.
 - 9.2.4. Any significant known shareholdings in organisations which have business with the college
 - 9.2.5. Unremunerated posts, honorary positions and other connections which may give rise to a conflict of interest or of trust.
 - 9.2.6. Other interests: for example, known clients or business relationships which have a direct connection with the College or which might affect its business.
 - 9.2.7. Governors and staff with high levels of financial responsibility are also required to record relevant and known interests held by their spouse, partner or close family.

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- 9.3. Staff and Governors have a responsibility to notify the Director of Governance of any new activities which may create a conflict of interests with the college.
- 9.4. As a guide, staff and Governors should ask themselves whether members of the public, knowing the facts of the situation, would reasonably conclude that the interests involved might influence the approach taken to the college's actions.

Appendix 1: Receipt of Gifts & Hospitality Form

Name of Provider of Gift/Hospitality	Date of Offer	Details	Value

Name: _____

Signed: _____

Date: _____

Authorised by Director of Governance:

Signed: _____

Date: _____

Appendix 2: Register of Interests Form

Any interest, financial or otherwise, which is likely or would, if publicly known, be perceived as being likely to interfere with a Governor's or staff member's independent judgement should be disclosed to the Governing Body. Where a spouse, partner, child or other close family member has any such interest (of which the staff member is aware) this should also be declared.

Governors and staff should inform the Director of Governance whenever their circumstances change and interests are acquired or cease.

Please complete all sections, providing further information and continuing overleaf where necessary.

Family Name	
First Name(s)	
Paid employment <i>Including name and address of employer and position held, or state if self-employed, retired, student etc</i>	
Self-employment <i>Please give names of significant clients accounting for more than 10% of income of individual or firm</i>	
Directorships, business or professional partnerships, consultancies	
Significant shareholdings <i>Normally shareholdings over 5% are regarded as significant</i>	
Elected office <i>Including name of authority</i>	
Trusteeships or participation in the management of charities and other voluntary bodies	
Honorary or other unremunerated positions which may give rise to a conflict of interest or of trust	
Public appointments, paid or unpaid <i>Please give name of public body and capacity in which you serve</i>	
Membership of professional bodies, trade or other associations	
Membership of closed organisations	
Any financial interests with the college <i>Including any contract, goods or services provided or any payment received for work at the college in the last 12 months</i>	
Any relevant interests of spouse, partner, child or other close relative	
Signature	
Date	