South Lanarkshire College
East Kilbride

GIFTS AND HOSPITALITY POLICY

Version Number: 1.0

Document Information

Procedure Published/Created:	3 May 2022
Reviewed Date:	9 May 2022
Owner:	Head of Finance
Approved by:	(Audit & Risk Committee)
Equality Impact Assessment:	
Next Review Date:	

Version History

Version Number	Date	Author	Rationale
1.0	03.05.2022	Keith McAllister	Creation

Quick Links

We are inclusive and diverse, and this is one of our values.

We are committed to the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement.

To find out more about FREDIE click **HERE**
To find out more about our Vision, Mission and Values click **HERE**

Need help with accessibility? Click **HERE** to view our accessibility pages.

Table of Contents

1. Purpose **4**

2. Policy **4**

3. Scope **4**

4. Responsibility **5**

5. Principle **5**

6. Procedure and Guidance **5**

6.1 General Rules 5

6.2 Gifts 6

6.3 Hospitality 7

1. Purpose

The purpose of this Policy is to set out rules and guidance for all staff (which should be taken for the purposes of this policy to include members of the Board of Management) to ensure that the College can demonstrate that no undue influence has been applied by an individual or external organisation in the decision-making processes within the College. Courtesy gifts and hospitality must not be given or received in return for services provided or to obtain or retain business but shall be handled openly and unconditionally as a gesture of esteem and goodwill only. Gifts and hospitality shall always be of symbolic value, appropriate and proportionate in the circumstances, and consistent with local customs and practices. They shall not be made in cash.

2. Policy

All staff covered by this policy should be aware that this is an area where perception can be as significant than fact. In circumstances where a gift or hospitality is accepted with selfless motives and solely in the interests of the College, if an external observer could put an adverse construction on a gift or hospitality this is what is likely to happen. In accepting any gift or hospitality, therefore, the individual and, if applicable, his or her line manager, must exercise judgement about how acceptance might be perceived, recognising that, what at first sight might appear to be reasonable, may nevertheless become the subject of unreasonable comment or criticism by external parties. The judgement made therefore needs to include an assessment as to whether the benefits gained by the College through the acceptance of a gift of hospitality might be outweighed by adverse third party criticism, even when that criticism is not reasonable.

3. Scope

This policy applies to members of the Board of Management, all employees and officers of the College, including agency workers.

This policy and the accompanying procedures cover all offers of gifts and hospitality whether declined or accepted and provide guidelines on acceptance and disclosure.

4. Responsibility

The Board of Management is responsible for the maintenance of this policy and related procedures through the Audit and Risk Committee.

5. Principle

The College permits corporate entertainment, gifts, hospitality and promotional expenditure that is undertaken:

- for the purpose of establishing or maintaining good business relationships;
- to improve the image and reputation of the College; or to present College services effectively;

provided that it is:

- arranged in good faith, and
- not offered, promised or accepted to secure an advantage for the College or any of its employees or associated persons or to influence the impartiality of the recipient.

The College will authorise only reasonable, appropriate and proportionate entertainment and promotional expenditure.

This principle applies to Board members, employees and associated persons, whether based in the UK or overseas. However, those with remits overseas will be given further training on the specific procedures that they are required to follow.

6. Procedure and Guidance

6.1 General Rules

- Where there is any doubt as to the value of a gift or hospitality then the offer should be disclosed to the Head of Finance or, in the case of a Board member, the Clerk to the Board.
- The Head of Finance will arrange for the maintenance of a Register of Gifts and Hospitality and shall make this available for inspection as required. For Board members, this will be the responsibility of the Clerk to the Board.
- Any offer of a bribe or commission made by external organisations, or anyone else dealing with the College, must be reported at once to a member of the Senior Leadership Team (SLT) or the Clerk to the Board.
- Any employee who becomes aware of a breach of the Gifts and Hospitality Policy must report this immediately to their line manager and a member of the SLT. If the breach involves a member of the SLT this should be brought to the attention of the Principal. Board members should bring this to the attention of the Clerk to the Board.

- Should the breach involve the Principal the matter should be brought to the attention of the Chair, the Senior Independent Member or Clerk of the Board of Management
- Should the breach involve a member of the Board of Management, the Chair and the Clerk should be informed.
- Staff and members of the Board of Management also have access to the Senior Independent Member of the Board of Management.
- Any breach may require appropriate action to be taken against a third party and where an offer is accepted, a proven breach of this Policy will lead to disciplinary action in relation to the employee involved and may constitute gross misconduct.

Those covered by this Policy:

- shall not use their authority or office for personal gain and shall seek to uphold and enhance the standing of the College by maintaining an unimpeachable standard of honesty, impartiality and integrity in all their business relationships.
- have a personal responsibility to ensure that an audit trail exists for all offers of gifts or hospitality. The notification of an offer of gifts or hospitality in excess of £50 requires a Form for Receipt of Offers of Gifts or Hospitality to be completed and lodged with the Head of Finance.
- may choose, in the interests of transparency, to declare any offer of gift or hospitality below £50.

6.2 Gifts

- Gifts should not be accepted where they may appear to be disproportionately generous or could reasonably be construed as an inducement to affect a business decision.
- Any gifts offered (whether accepted or not) which are not of a trivial nature, should be notified to the Head of Finance using the form in Appendix 1. A gift will be considered trivial if by virtue of its nature or branding it has no material commercial value. For Board members, notification should be to the Clerk to the Board.
- Any gifts falling outside the definition of trivial should not be accepted by an individual except where to refuse a gift may cause offence. In these circumstances the gift should be accepted and disclosed. The disclosure should also record the agreed treatment of any gift. These items are not generally of a personal nature and are likely to be displayed within the College.
- Staff should not normally accept more than two gifts from any external organisation within a single financial year.

6.3 Hospitality

- Invitations to lunch or dinner from an external organisation should only be accepted where the primary reason for accepting an invitation is to discuss business matters.
- Invitations of a social kind (e.g. sporting and cultural events) should be declined except where the interests of the College can be clearly demonstrated in advance and the business justification is both compelling and exceptional. Acceptance must be agreed in advance in writing by a member of the SLT and subsequently disclosed.
- Hospitality that includes travel or overnight accommodation must not be accepted.
- When an employee or Board member is speaking at an educational conference, and travel and accommodation is provided by the organisers, approval to accept and attend the conference should be obtained in advance from the appropriate line manager and member of the Principalship or, in the case of Board members, the Clerk to the Board.
- Repeated invitations are deemed to be inappropriate, and any employee or Board member who has accepted hospitality of a social kind (e.g. sporting and cultural events) from an external organisation should not accept any further invitations of a similar type from the same organisation within the following twelve months.

Appendix 1

Form to Record the Receipt of Offers of Gifts or Hospitality

All offers (whether accepted or refused) of Gifts or Hospitality in excess of £50	
Name of Employee	
Job Title & Department	
Description of Gift/Hospitality Offered	
Date	
Name & Address of External Organisation who made the offer	
Relationship to the Company	
Estimated Value	
Accepted/Declined	
Date Accepted/Declined	
Reason for Acceptance/Decline	
If Accepted, Approver's Name and Signature	
Employee's Signature	
Date of Notification	
Head of Finance Signature of Notification	

Note: Board members should contact the Clerk to the Board for the appropriate form to complete.

South Lanarkshire College

East Kilbride