

Gifts & Hospitality Policy

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| **POLICY TITLE** | Gifts & Hospitality Policy |
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| **UNIT / SERVICE** | Finance |
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# Introduction

This policy is intended to provide advice to university staff who in the course of their day-to-day work or as a result of their employment, either receive offers of gifts and hospitality or provide gifts and hospitality to others on behalf of the University. The policy also applies to other parties who in the course of their work provide services for or on behalf of the University.

All decisions by university staff on the provision or acceptance of gifts and hospitality must be able to withstand both internal and external scrutiny. They must be defensible as being in the direct interest of the university, as being proportionate to that interest and within limits that are acceptable to the University’s Board of Governors.

## As outlined in the University’s Anti-bribery Policy and the Counter Fraud & Corruption Policy, the University does not tolerate bribery and corruption of any kind and seeks to maintain the highest standards of professional practice and good governance. Staff must not offer, promise or give a bribe and they must not request, agree to receive or accept a bribe.

# Purpose

### This policy sets out the practices to be followed by staff in the case of;

## Unsolicited gifts and hospitality offered to staff in the course of their University duties

## The provision of gifts and hospitality to third parties in the course of their University duties.

### This policy has been compiled to ensure compliance with the 7 principles of Public Life drawn up by the Nolan Committee ([see Annex 1](#_Annex_1_–)).

### All university staff must apply the following principles in the conduct of their employment:

## they must not accept gifts, hospitality or benefits of any kind from a third party which might be perceived as compromising their personal judgement or integrity;

## they must not make use of their official position to further their private interests or those of others;

## they must declare any private interests;

## they must base all purchasing decisions and negotiations of contracts solely on achieving best value for money for the University;

## they must refer to their Head of Department when faced with a situation for which there is no adequate guidance;

## if in any doubt, they must seek advice from the Chief Officer (Resources) or their deputy.

### The fundamental principle is that no member of staff should do anything which might give rise to the impression that he or she has been unduly influenced by a gift of hospitality or other consideration to show bias for, or against, any organisation whilst carrying out official duties.

# The Acceptance of Gifts

## Cash or Cash Equivalents: Offers of cash or cash equivalents (e.g., lottery tickets, gift vouchers or gift cheques) made by suppliers, contractors, service users or their relatives to individual officers of the University must without exception be declined.

## Non-Cash Gifts: Gifts of a small or inexpensive nature (up to £50 in value) such as calendars or diaries or other inexpensive items such as flowers and chocolates can be accepted and do not need to be included on the departmental gift register. This type of gift can be easily distinguishable from more expensive or substantial items which cannot on any account be accepted. If there is any doubt as to whether the acceptance of such an item is appropriate, the matter should be referred to the Chief Officer (Resources) or their deputy. Note that a series of small gifts from the same source should be regarded as a single large gift and should be declared.

## Exceptional Cases: It is recognised that there are exceptional cases where refusal of a gift will clearly offend a donor, cause embarrassment or appear discourteous. In these cases, the donor should be advised that in line with [Section 13](#_Authorising_the_Acceptance_1) of this policy, the permission of the University’s Management needs be sought as to whether or not to accept. In all cases the gift (and disposal if appropriate) must be recorded in the Gifts & Hospitality Received Register ([annex 2](#_Annex_2:_Annual)).

## Gifts from others: The above applies equally to gifts from all sources. Gifts from individuals or bodies with or wishing to have a formal relationship with the University (i.e. applicants, students or their relatives, suppliers, contractors etc.) should not normally be accepted. This is particularly important if a formal procurement process is being undertaken,

## There will be limited exceptions to this general rule which may be discussed with the Chief Officer (Resources). Where there is any doubt, please consult your Head of School/Department and the Chief Officer (Resources) or their deputy for initial advice.

## The rulings around the acceptance of gifts or donations to the University are set out in the [**Financial Regulations**](https://www.cardiffmet.ac.uk/about/policyhub/Pages/default.aspx)

## Gifts from Students: The University does not encourage the acceptance of gifts from a student or group of students and particular care should be exercised in the acceptance of gifts from students or their families. Recipients of gifts must declare their interest if they happen to be in a position to influence any aspect of student outcomes. Areas where possible conflicts may arise include;

## Marking, assessment, moderation

## Board of Examiner discussions

## Membership of oral examination panels

## Membership of student complaint panels & student discipline committees

## Involvement in any committee or panel relating to the student.

Gifts where accepted should be of low value, (<£50) and only once a student has completed their final examination, received their award and professional involvement has ceased.

# The Acceptance of Hospitality

## Hospitality Received from Third Parties: The handling of offers of hospitality is recognised as being much more difficult to regulate but it is an area in which staff must exercise careful judgment. It is recognised that it can be as embarrassing to refuse hospitality as it can be to refuse a gift. There is also a need to distinguish between simple, low-cost hospitality of a conventional type, for example, a working lunch or evening meal compared with more expensive and elaborate hospitality.

## There is clearly a need for a sense of balance. Frequent, regular or annual invitations to events or functions, particularly from the same source and where a considerable degree of hospitality is involved, may severely test the principles stated in [section 2](#_Purpose) and should be refused. However, there may be instances where staff receive invitations to events where attendance could be seen as beneficial to the building and maintaining of working relationships and any hospitality received is likely to be reasonable and proportionate, and therefore acceptable.

## In accepting hospitality staff need to be aware of, and guard against, the dangers of misrepresentation or perception of favouritism by a competitor of the host. It is obviously easier to justify meetings which relate directly to the work of the University but where these happen outside working hours and on purely social occasions then they need to be justified as not being a personal gift or benefit.

## Where an individual is involved in the negotiation of a contract, then hospitality of any kind, including attendance at seasonal events hosted by that supplier or contractor, should not be accepted. This includes other hospitality services extended to a University staff member or their immediate family. It also includes add-ons that might be attached to a trip for official University business.

## In all instances invitations of an individual nature to events or functions must be formally approved by the individual’s line manager prior to acceptance. In the case of VCEG members approval must be given by the Vice-Chancellor. Staff should consider whether the offer is made through an official channel or direct to the individual. This will help to determine whether or not to accept an official offer which is in the University’s interest or to decline an individual offer, without giving offence.

# The Acceptance of Other Benefits

## Other Benefits may be offered to University staff by third parties, and staff must be alert to the need for caution should such circumstance arise. Examples might include sponsorship or funding, and the offer by a supplier or agent of a discount for the purchase of an item for personal use not generally available to University staff. These kinds of benefits should not normally be accepted, and staff must inform their Dean or Director if such offers are made.

# The Provision of Gifts or Hospitality Overview

## University staff must be mindful that the value of all gifts and hospitality offered by the University to others are sourced from public and charitable funds. Such funding must be used for legitimate purposes and demonstrate value for money.

## Both gifts and hospitality must only be provided when:

## the offer is consistent with the purpose of the University

## there is prior budget holder approval

## the aim is not to influence the recipient improperly

## it is appropriate, of reasonable value and proportionate to the circumstances

## the provision does not conflict with University policies and relevant legislation.

## It is never permitted to offer or provide any gifts or hospitality:

## of money or of a monetary nature

## of excessive value

## to induce an individual or organisation improperly to provide particular services or preferential treatment

## in expectation of or reward for an individual or body for not performing their work in a proper or an impartial manner

## to any individual or organization responsible for a formal application, finance decision, sourcing or tendering.

## to gain influence with a public official either at home or overseas.

# The Provision of Gifts

## Occasionally the University may wish to make a small presentation to an individual in acknowledgement of services provided to the university. Such gifts should be of a token nature. Prior approval for the provision of gifts is required from the appropriate VCEG member and such approval should be formally authorised and documented. [Refer to section 13](#_Authorising_the_Acceptance_1)

# The Provision of Hospitality

## University policy is to make reimbursement for hospitality where incurred wholly in the furtherance of University business and with prior agreement of the budget holder. Appropriate and proportionate costs for entertaining third-party business contacts will be reimbursed on production of receipts, provided they are reasonable and in keeping with the guidance below.

## Hospitality Tax treatment

### In line with HMRC guidance, consideration should be given as to whether the internal or external hospitality is provided in the furtherance of business or mainly for social purposes. This is important as business entertaining is usually exempt from tax; non-business entertaining is usually subject to tax.

### In each occurrence of business hospitality entertaining, the majority of attendees must not be University staff.

### To meet HMRC requirements the following information must be retained for all forms of hospitality;

## the names of all attendees

## the organisation which they represent

## the nature of the entertainment

## the purpose of the entertainment (i.e., ‘negotiation of contract’, ‘business acquisition’, ‘research project’, ‘student placement arrangement’)

## the date and place of the event

# External Hospitality

## The provision of hospitality by the University to representatives of other organisations should be modest and appropriate to the circumstances. In all instances, the expenditure involved must;

## meet the criteria in section 6.

## be in the furtherance of business and not offered solely as a return gesture or be automatically recurrent on a regular basis unless circumstances indicate that it is appropriate to do so.

## be clearly identified and charged to a specific hospitality expense code.

## usually not occur if there are more internal staff than external guests.

# Internal Hospitality

This should only be considered in clearly defined circumstances. For example, where meetings outside of normal working hours cannot be avoided (early morning or after normal working hours) or where staff are required to travel to attend meetings in circumstances where a lunch time break is not possible or where the meeting is likely to last for more than 3 hours. Where hospitality is to be extended for internal meetings, it should be limited to light refreshments.

# Providing University Specific Events

The following University- specific events are permissible when taking place either on University premises or elsewhere;

## New student welcome events

## Post-graduation entertaining

# Provision in Other Circumstances

Situations may arise that are not covered by the foregoing guidance or in cases when flexibility in interpretation of the rules may be necessary. In such cases prior approval should be sought from the relevant VCEG member with advice from the Chief Officer (Resources) or their deputy before hospitality is provided.

## such approval should be formally documented.

## any request for approval of such instances should state why the request falls outside the boundaries of what is normally allowable and

## why it is considered necessary to provide such hospitality.

# Authorising the Acceptance of Offers & Provision of Offers of Gifts and Hospitality

## The receipt and provision of Gifts and hospitality in accordance with this policy are authorised as follows:

## Any gifts up to £50 and hospitality up to £100 can be self-certified, noting that;

## They are subject to budgetary approval for gifts & hospitality offered.

## gifts received below a £50 value may be kept by the individual

## Gifts valued between £50 to £250 and hospitality between £100 to £250 must be approved by the relevant Dean or Director, noting that;

## gifts received are retained by the University and not the individual

## The acceptance or provision of gifts or hospitality with a value of greater than £250 should be approved by the relevant VCEG member taking advice from the Chief Officer (Resources), noting that;

## gifts received are retained by the University and not by the individual

## Gifts and Hospitality of a substantial value must in all cases be referred to the Chief Officer (Resources) and are retained by the University

# The Gifts and Hospitality Registers

## A formal record of gifts and hospitality offers received or made must be kept in the Gifts and Hospitality Register in each School or Department

## The register must be updated within 10 working days of the offer being made or received.

## A copy of the register should be forwarded to the Deputy Director of Finance at each year end for inclusion in an annual report to the Audit Committee during its autumn meeting.

## The Gifts and Hospitality Offers Received/Accepted Register form is found at [Annex 2](#_Annex_2:_Annual)

## The Gifts and Hospitality Provided/Offered Register is found at [Annex 3](#_Annex_3:_Annual)

## On request by an interested party, the information may be published at the discretion of the University, requested for review by Audit, or made available under the provisions of the Freedom of Information Act.

# Roles and Responsibilities

## This policy applies equally to all staff, the policy also applies to other parties who in the course of their work provide services for or on behalf of the University.

## The Chief Office (Resources) has oversight of the policy, and the policy is reviewed by Management Board every 3 years or earlier if legislative updates require.

## In the first instance queries on the policy should be addressed to a Deputy Director of Finance with escalation to the Chief Officer (Resources).

## Completion of Gift and Hospitality Forms within Schools and Departments is mandatory. The forms will be returned to the Deputy Director of Finance at the end of each financial year and will be available to audit.

# Related Policies and Procedures

## This policy should be read in conjunction with the Financial Regulations, Anti-Bribery Policy, Anti-Money Laundering Policy, Counter Fraud and Corruption Policy– all policies may be found in the [Policy Hub](https://www.cardiffmet.ac.uk/about/policyhub/Pages/default.aspx) and the [Criminal Finance Act (2017) guidance](https://outlookuwicac.sharepoint.com/sites/Finance/SitePages/Policies.aspx) here.

# Review and Approval

### The Gifts and Hospitality Policy is reviewed every 3 years by Management Board, or more frequently if legislative change requires.

# Annex 1 – The Seven Principles of Public Life

**Selflessness** - Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

**Integrity** - Holders of public office should not place themselves under any financial obligation to outside individuals or organisations that might influence them in the performance of their official duties.

**Objectivity** - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability** - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness** - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty** - Holders of public office have a duty to declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership** - Holders of public office should promote and support these principles by leadership and example.

# Annex 2: Annual Gifts and Hospitality Offers Received Declaration Form

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| --- | --- | --- | --- | --- | --- | --- |
| **School/Unit:** | | | **Name Dean/Director:** | | | **Year:** |
| **Date of event or gift offered** | **Description of gift or event** | **Approximate value £** | **Offered by (external)** | **Accepted Y/N** | **Accepted by at Cardiff Met** | **Authorised by** |
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## Signed : Position: Date:

# Annex 3: Annual Gifts and Hospitality Offers Provided Declaration Form

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| **School/Unit:** | | | **Name Dean/Director:** | | | **Year:** |
| **Date of event or gift offered** | **Description of gift or event** | **Approximate value £** | **Offered to (external)** | **Accepted Y/N** | **Offered by at Cardiff Met** | **Authorised by** |
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## Signed : Position: Date: