



Receiving Gifts or Hospitality

It may be an offence under the Bribery Act 2010 for members of staff to accept, offer, promise or give hospitality, gifts or other financial advantage and the Gifts and Hospitality Policy also applies outside the UK.

Generally, a bribe is defined as giving someone a financial or other advantage. to encourage that person to perform their functions or activities improperly. or to reward that person for having already done so.

The Bribery Act 2010 defines four key offences of bribery:

- A general offence of offering, promising or giving a bribe.
- A general offence of requesting, agreeing to receive, or accepting a bribe.
- A distinct offence of bribing a foreign public official to obtain and / or retain business.
- Failure of a corporate body to prevent bribery by an associated person, for the organisation's benefit.

The Bribery Act 2010 does not specifically prohibit the giving or accepting of hospitality.

The Government does not intend for genuine hospitality or similar promotional business expenditure, which is reasonable and proportionate, to be caught by the act.

The College can therefore provide, for example, tickets to sporting events or dinner with clients, or offer gifts to clients as a reflection of good relations, or pay reasonable travel expenses to demonstrate the College's services. This must be reasonable and proportionate to the business, and must be reported in writing to the Clerk to the Corporation.

The guiding principles to be followed by all members of staff must be:

- The conduct of individuals should not create any conflict between their official duty and their private interest.
- The action of individuals acting in an official capacity should not give the impression to any member of the public, to any organisation with which 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.

Members of staff should not accept any gifts, or 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 to others to have been, influenced in making a business decision as a consequence of accepting such hospitality.

Hospitality may be accepted where it is clearly intended to build relationships within either an existing or a proposed working arrangement, and where the hospitality offered would not be considered lavish and provided that the member of staff or the Governor and or External Member concerned informs the Clerk to the Corporation, of the hospitality in writing. An e-mail will suffice for this purpose.

Gifts such as calendars, diaries or mugs may be accepted if they bear the company's name or insignia, and can therefore be regarded as advertising material.

Other gifts of a nominal value e.g. £10, or less, as a guide may be accepted provided they are reported to the Clerk to the Corporation, who will keep a log of such gifts and report to the Senior Leadership Team, as required.

Gifts of more than a nominal value offered to employees by contractors, organisations, firms or individuals must always be declined, and the offer reported to the Clerk to the Corporation, who will maintain a formal record of the offer.

When it is not easy to decide what is and what is not acceptable in terms of gifts or hospitality, the offer should be declined or advice sought from the Clerk to the Corporation or the Vice Principal - Finance & Registry.

Any irregularities should also be reported to the Clerk to the Corporation, who will then determine, in consultation with the Vice Principal - Finance & Registry and / or the Principal / Chief Executive, what action should be taken, if appropriate.

Staff who report such irregularities will be supported by the Clerk to the Corporation, unless it is deemed such accusations are false or malicious

Donations

The Vice Principal - Finance & Registry is responsible for maintaining financial records in respect of donations made either by or to the College.