

# Hospitality and Gifts Policy

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## 1. Introduction

The University seeks to protect employees from allegations of impropriety by ensuring the acceptance or provision of gifts, hospitality or any other benefits (perceived or otherwise) is transparent and that appropriate approval and recording procedures are in place.

The acceptance of gifts, excessive or premium hospitality or other benefit can damage the University's reputation and possibly lead to prosecutions under the Bribery Act 2010. They may be used by corrupt third parties, to groom employees to a position of obligation and prepare the way for bribery or may be made corruptly by an employee to build favours with prospective clients.

## 2. Principles

The University expects employees to exercise the utmost discretion in giving and accepting gifts, hospitality or any other benefit. Conduct of employees must not create suspicion or any conflict between their official duties, nor should they make use of their official position to further their private interests or those of others. Particular care must be exercised where a gift, hospitality or benefit is given or offered by a person or organisation that has, or is hoping to have, a contract with the University.

Employees must not accept gifts, hospitality or 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.

Employees should not accept any gift or consideration from another organisation, individual or member of the public which might reasonably be thought of as an inducement, or be interpreted as an inducement or reward for doing or refraining from doing anything in their official capacity as a member of the University.

No improper advantage, favour or preference which is not generally available should be sought, accepted or given.

Any gift, hospitality or other benefit received or given should be made openly, be fully documented and reported appropriately to management.

## 3. Gifts, Hospitality and Benefits

### Gifts

**Gifts** are anything given to someone, without the expectation of consideration or value in return. Gifts can be in the form of money, goods, services or favours.

All offers of gifts, other than those of a very low intrinsic value (such as business diaries, calendars, pens, etc) should be declined and be reported in writing to the Head of Unit or nominee. Where it is clear that declining gifts would damage the University's business, cause offence (for example in countries that have a culture of giving gifts to visitors), or where it is not possible to return the gift, the item should be declared to the employee's

Head of Unit or nominee for determination of action. Action may include making it available for general use by the staff of the unit or adding the item to the Unit inventory.

If there is any doubt as to whether the acceptance of any item is appropriate, then the gift should either be declined or the matter referred to their Head of Unit or nominee. They should seek the advice of the relevant Planning and Resource Officer (PRO) when an appropriate course of action is unclear.

Gifts of money or gift tokens must always be refused. Any individual or organisation wishing to make donations to the University should be referred to the Development Office. For low value donations (£100 or less) staff may direct the potential donor to the [donations website](#) and then inform the Development Office. Higher value donations should always be referred directly to the Development Office.

Where an employee receives the appropriate approval and accepts a gift on behalf of the University, the gift remains the property of the University. If appropriate, the gift may be used for display or, with the Head of Unit or nominee's approval, remain in the temporary care of the recipient and kept on University premises. The gift should be returned to the University on or before the recipient's last working day.

Gifts offered by students other than those of a very low intrinsic value should be declared. Higher value gifts may be accepted on behalf of the University. In these instances, the gifts become the property of the University and must be declared.

Gifts offered to employees for members of their immediate family, relatives and friends should not be accepted. Where gifts are offered by business associates of the University e.g. employees of suppliers of goods or services who are also personal friends (or relatives), it may be reasonable to accept and declare the gift provided the principles contained within this policy are not compromised.

Gifts offered to individuals or organisations on behalf of the University should be modest in value and appropriate to the occasion. Permission should be sought from the Head of Unit or nominee before purchasing and giving the gift.

## Hospitality and Benefits

**Hospitality** includes entertaining, meals, receptions, tickets to entertainment, and social or sports events. It can also be associated with charitable and fund raising events. Hospitality requires the host to be present, if not, the expenditure is a gift.

Hospitality, provided it is reasonable in the circumstances, is acceptable. This may include meals at events such as breakfast seminars, working lunches, conferences, out of office lunches and other business meals paid for by a third party, and does not include any form of premium hospitality. E.g. expensive entertainment, luxury accommodation or services.

It is recognised that the University conducts business internationally where it is customary in some cultures to offer relatively generous hospitality, and where offence would be given by rejection. In these cases and where an immediate decision is necessary, staff may accept the hospitality. However, this must be declared to the Head of Unit or nominee on return.

Where it is clear that the work of the University would be facilitated or where there is a benefit in an employee attending a sponsored event (such as free educational seminars, Continuous Professional Development events and industry awareness sessions), hospitality may be accepted provided the level of hospitality is extended to other organisations attending such events.

Employees are required to notify and obtain permission from their Head of Unit or nominee before they accept and attend any hospitality paid for by a third party (other than hospitality that is deemed as incidental, for example tea, coffee, sandwich/buffet type working lunches, etc.) The Head of Unit or nominee should seek the advice of the relevant PRO when a decision is unclear.

Employees attending formal social events (usually ceremonial in nature) as a representative of the University for which an official invitation is issued and accepted on behalf of the University is acceptable where prior approval is received from their Head of Unit or nominee.

Advice on the provision of hospitality and entertaining official University visitors is contained in the Travel and Subsistence Policy.

Hospitality extended to include an employees immediate family, relatives and friends should not be accepted. Where hospitality is offered by business associates of the University e.g. employees of suppliers of goods and services, who are also personal friends (or relatives) it may be reasonable to accept and declare the hospitality provided the principles contained in this policy are not compromised.

#### **4. Additional Information**

Repeated acceptance of gifts, hospitality or any other benefit, particularly from the same source, should be avoided.

Any attempt to undermine the impartiality of employees by the offer of substantial gifts, hospitality or other expenses should be reported to the University Secretary, the Finance Director and the Chief Auditor.

#### **5. Declaration of Hospitality, Gifts and Other Benefits**

Any hospitality, gift or other benefit, received or offered and declined/returned (other than the low value and/or reasonable examples given in this policy) must be declared by completing the Declaration of Hospitality, Gifts and Other Benefit Form. Wherever practically possible appropriate approval should be sought before acceptance.

Where the recipient is Head of Unit or nominee, then any permissions and authorisation must be obtained from the relevant PRO.

#### **6. Equality, Diversity and Inclusion**

Policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background or trades union membership status.

#### **7. Useful References**

Internal to The Open University:

Declaration of Hospitality, Gifts and Other Benefits Form

Travel and Subsistence Policy: Paragraph 11 Hospitality

Anti-Bribery and Corruption Policy

Behaviours and Standards at Work Policy

Procurement Policy: Paragraph 7 Ethical Procurement

Anti-Fraud Policy

Public Interest Disclosure Policy (Whistleblowing) Policy

Facilitation Payments Guidance

Declaration of Facilitation Payment Made or Requested and Resisted Form

External Sources:

For those with authority to place orders or issue contracts to suppliers or other third parties: The Ethical Code of the Chartered Institute of Purchasing and Supply (CIPS).

For many staff who are members of Professional bodies, their own codes of ethics with which they are required to comply.

Bribery Act Guidance published by the Ministry of Justice

<https://www.gov.uk/government/publications/bribery-act-2010-guidance>