

## **POLICY ON GIFTS AND HOSPITALITY AND BRIBERY PREVENTION**

### **1. Introduction**

- 1.1 It is the University's policy and practice to conduct its business in an honest and ethical manner. The University takes a robust approach to bribery and corruption and is committed to acting professionally, fairly and with integrity in all of its business dealings and relationships throughout the world.
- 1.2 The University will uphold all laws relevant to countering bribery and corruption including the [Bribery Act 2010](#) ('the Act'), in respect of its conduct both in the UK and abroad.
- 1.3 In UK law bribery and corruption are punishable for individuals by up to ten year's imprisonment and if the University is found to have taken part in corruption it could face an unlimited fine, be excluded from tendering for public contracts and face damage to its reputation.
- 1.4 The University recognises that the practice of giving and receiving of business gifts or hospitality varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied, when considering accepting a gift or hospitality, is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift or hospitality, and its potential value, should always be considered.

### **2. Purpose**

- 2.1 The purpose of this Policy is:
  - a) to set out the responsibilities of the University, and of those working for it, in observing and upholding our position on bribery and corruption;
  - b) to provide information and guidance to those working for the University on how to recognise and deal with bribery and corruption issues;
  - c) to give guidance on appropriate levels of gifts and hospitality; and
  - d) to set out the process by which the University may receive a corporate donation such as an asset or cash donation.

### **3. Who is covered by the Policy?**

- 3.1 This policy applies to all individuals working for and on behalf of the University of Worcester at all levels and grades and includes all employees (whether permanent, fixed term or temporary), members of the University's Board of Governors, honorary staff, trainees, seconded staff, casual staff, agency staff, volunteers, interns, agents, sponsors, or any other person associated with the University or any of its subsidiary companies (collectively referred to as 'staff' for the purposes of this policy).
- 3.2 The Policy also applies to any other person associated with the University, who performs services for and on behalf of the University anywhere in the world. This includes the University's agents, brokers, sub-contractors, representatives, distributors, consultants and other service providers. The University expects those persons to abide by this policy or have in place equivalent policies and procedures to combat bribery and corruption.
- 3.3 To help communicate our expectations to others, this policy will be made available to our commercial and other partner organisations and disseminated to others with whom we work. This means in many cases the policy should be discussed with any party whom the University is considering doing business with to ensure they understand our standards as an organisation.
- 3.4 In this Policy 'third party' means any individual or organisation that individuals may come into contact with during the course of their work for the University, and includes students, external funders, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politician and political parties.

#### **4. What is Bribery?**

- 4.1 The University defines a bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

#### **5. Gifts and Hospitality offered to, or by, individual staff members**

##### **5.1 Key responsibilities**

When considering whether a gift or hospitality should be given or accepted the following key responsibilities should be considered:

- Gifts or hospitality, beyond normal refreshments and University corporate gifts, should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior consent of the Vice Chancellor or his nominee.
- Is it appropriate to accept the gift or hospitality? Consideration should be given to the nature of the gift, its value, who it is being offered by, and the intention.
- If the estimated value of the gift or hospitality, either given or accepted, is in excess of £100 then it must be registered with the University Secretary and Clerk to the Board of Governors. The details of how to do this are set out at para 10.2. Staff may register or

obtain consent on a voluntary basis in relation to gifts or hospitality below the relevant figures.

5.2 Hospitality given or received by staff on University premises and using catering services procured using the appropriate University process does not need to be recorded on the register.

### 5.3 Giving Gifts and Hospitality

5.3.1 Staff may not, directly or through others, offer or give any money, gift, hospitality or other thing of value to an official, employee or representative of any supplier, customer or any other organisation, if doing so could reasonably give the appearance of influencing the organisation's relationship with the University.

5.3.2 Staff may:

- Give gifts of a nominal value, such as University of Worcester pens and advertising novelties;
- With prior line management approval, provide University corporate gifts, such as prints, books, and other commemorative items;
- With prior line management approval, provide meals and other entertainment at venues outside the University, provided that the expenses are kept at a reasonable level. For the avoidance of doubt, the per capita cost of a meal should not exceed £100 and would normally be much less;
- With prior line management approval, provide meals and overnight accommodation on the University campus, including Barrington House, where these are reasonable and in the normal course of University business or events.

### 5.4 Receiving Gifts and Hospitality

5.4.1 Staff or any member of their family should not, directly or through others, solicit or accept money, gifts, hospitality or anything else that could influence or reasonably give the appearance of influencing the relationship with that organisation or individual.

5.4.2 Gifts or hospitality may not be accepted, irrespective of value, which may influence or be seen to influence such situations as the outcome of an exam, the acceptance of a student into the University, the award of business (contract) or the use of the University's Intellectual Property or other assets, or to benefit personally or from the benefit of any person connected to that person.

5.4.3 Unless staff have been informed otherwise, they may accept:

- A gift of nominal value, such as an advertising novelty, when it is customarily offered to others having a similar relationship with that individual or organisation;
- Customary meals or entertainment provided that the expenses are kept at a reasonable level.
- A ticket to a conference or event where the University is represented at, or is contributing to, that conference or event.

5.4.4 Gifts or hospitality with a value of more than £100 should be treated as follows:

- Prior line management approval should be obtained before they can be accepted;
- If accepted, they must be registered in accordance with section 10.2;
- Items of property must be accepted on behalf of the University and handed into the University Secretary and Clerk to the Board of Governors to be used for fund-raising for the University's charity of the year, nursery or other charitable cause as decided by UEB;
- Gifts which at face value appear low value but could have the potential to reach a value in excess of £100 (for example, entry into a prize draw or lottery, or have a high re-sale value) should be valued at in excess of £100.

5.4.5 If an excessive gift or hospitality is found to have been accepted, then the circumstances will be discussed with the member of staff and steps agreed to ensure that the acceptance of the gift or hospitality does not influence a decision or situation in favour of the giver. Acceptance of an excessive gift or hospitality, especially on more than one occasion or where it is found to have influenced decisions inappropriately, against University policy or potentially illegally, will lead to the appropriate disciplinary procedures being followed.

## **6. What is not acceptable?**

6.1 It is not acceptable for staff (or someone on behalf of them) to:

- a) Give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that either a personal or business advantage will be received, or to reward either a personal or business advantage already given;
- b) Give, promise to give, to offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
- c) Accept payment from a third party that is known or suspected to be offered with the expectation that it will obtain either a personal or business advantage to the third party;
- d) Accept a gift or hospitality from a third party if it is known or suspected to be offered or provided with an expectation that either a personal or business advantage will be provided to the University in return;
- e) Accept a gift or hospitality from a third party who is tendering for a contract to be awarded by the University either on its own or jointly with other parties and for a period of three months after the award of the contract;
- f) deliberately ignore any of the above;
- g) threaten or retaliate against another member of staff who has refused to commit a bribery offence or who has raised concerns under this policy; or
- h) engage in any activity that might lead to a breach of this policy.

## **7. Major Gifts or Donations to the University**

- 7.1 The University accepts funding from a wide variety of public and private sector partners from across the globe, to support the delivery of the University's mission, as articulated in its Strategic Plan.
- 7.2 As an exempt charity and a seat of higher education and scholarship, the University has a responsibility to ensure that the processes of securing and receiving funds to support the life and work of the University do not compromise its integrity, the trust of its supporters or its commitment to students, staff and the communities it serves.
- 7.3 A major gift is defined as a donation of £100,000 or more. The acceptance of major gifts or donations will be authorised by the Vice Chancellor and reported to the Board of Governors at the next Board meeting.
- 7.4 The University must ensure it does not bring itself into disrepute by accepting philanthropic donations from questionable or inappropriate sources. The University will not accept donations from sources which:
- Are deemed to be illegal, discriminatory, violates international conventions on Human Rights or any form of theft, bribery, fraud, tax evasion, money laundering or terrorist activity
  - Limit or compromise freedom of enquiry or academic integrity, leading to falsified academic research, or create the perception thereof
  - Compromise the charitable status of the University
  - Create unacceptable conflicts of interest and compromises the values and aims of the University
  - Damage the reputation of the University or its relationship with its communities and partners
  - Cause financial or other damage to the University or result in additional costs being incurred.

A record of all major gifts accepted and declined will be maintained by the University Secretary and Clerk to the Board of Governors.

## **8. Facilitation payments**

- 8.1 The University does not make, and will not accept, facilitation payments or "kickbacks" of any kind. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official. They are not commonly paid in the UK, but are used in some other jurisdictions.
- 8.2 If staff are asked to make a payment on the University's behalf, they should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. Staff should always ask for a receipt which details the reason for the

payment. If staff have any suspicions, concerns or queries regarding a payment, they should raise these with the University Secretary and Clerk to the Board of Governors.

- 8.3 All staff must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by the University.

## **9. Staff Responsibilities**

- 9.1 Staff must ensure that they read, understand and comply with this policy.
- 9.2 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for and on behalf of the University. All staff and representatives of the University are required to avoid any activity that might lead to, or suggest a breach of this Policy.
- 9.3 Staff must notify the University Secretary and Clerk to the Board of Governors as soon as possible if they believe or suspect that a conflict with this policy has occurred or may occur in the future. If staff are unsure whether a particular act constitutes bribery or corruption, please contact the University Secretary and Clerk to the Board of Governors.
- 9.4 Any member of staff who breaches this Policy may face disciplinary action, which could result in dismissal. The University reserves its right to terminate its contractual relationship with other individuals if they breach this Policy.

## **10. Record Keeping**

- 10.1 The University must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.
- 10.2 If you are required to register a gift or hospitality under this policy you must complete the Gifts and Hospitality Registration Form (Annex 1) and send it to the University Secretary and Clerk to the Board of Governors who will maintain a Register of Gifts and Hospitality. You must register any gift or hospitality within 28 days. Requests to your line manager for written approval of gifts or hospitality (where required) must be submitted in advance where possible to allow time for a decision to be made and a copy should be attached to the Registration Form.
- 10.3 Staff must ensure that all claims relating to hospitality and gifts or other payments to third parties are submitted in accordance with the relevant University policy and specifically record the reason for the expenditure.
- 10.4 All accounts, invoices, memorandum and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, should be prepared and maintained with strict accuracy and completeness. No account must be kept "off book" to facilitate or conceal improper payments.

## **11. Risk Assessment and Knowing Who You are Dealing With**

- 11.1 The University Secretary and Clerk to the Board of Governors will review annually the corruption and bribery risk that the University faces as part of the annual review of the institutional Risk Register.
- 11.2 It is also the responsibility of all staff to bring to the attention of the University Secretary and Clerk to the Board of Governors any potential new risk in relation to the scope of this policy when it arises, rather than waiting to report it in the annual risk assessment.
- 11.3 All staff must understand who they are doing business with and guidance on this issue can be obtained from the University Secretary and Clerk to the Board of Governors. This process is known as due diligence.

## **12. Reporting Concerns**

- 12.1 Concerns about compliance with this Policy should be reported to the University Secretary and Clerk to the Board of Governors, or in the case of staff, the University's Whistleblowing Policy can also be used.
- 12.2 Staff who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing are sometimes worried about possible repercussions. The University encourages openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.
- 12.3 The University is committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. Staff who believe they have suffered any such treatment should inform Human Resources immediately.

## **13. Responsibility for and Monitoring of the Policy**

- 13.1 The University Secretary and Clerk to the Board of Governors has overall responsibility for ensuring that the Policy complies with the University's legal and ethical obligations, and that all those under the University's control comply with it.
- 13.2 The University Secretary and Clerk to the Board of Governors has primary and day to day responsibility for implementing the Policy, for monitoring its use and effectiveness and dealing with any queries on its interpretation.
- 13.3 The University Secretary and Clerk to the Board of Governors will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible.

<b>Owner</b>	University Secretary and Clerk to the Board of Governors (unisec@worc.ac.uk)
<b>Approved by</b>	Vice Chancellor's Executive Board (replaced by UEB)
<b>Approval Date</b>	18 <sup>th</sup> October 2017
<b>Version</b>	1.2
<b>Amended</b>	22 <sup>nd</sup> September 2021 – minor amendments to job titles made
<b>Review Date</b>	September 2024





### Registration of Gift or Hospitality

<b>Name of member of staff</b>	
<b>Department</b>	
<b>Date of offer or receipt</b>	
<b>Description of the hospitality or gift</b>	
<b>Value of hospitality or gift (estimate if value isn't known)</b>	
<b>Was the gift or hospitality accepted?</b>	<b>YES/NO</b>
(delete as appropriate)	
<b>Was written approval given to accept the gift or hospitality? YES/NO</b>	
<b>If a gift was accepted has the gift been donated for fund-raising for the University's charity of the year? YES/NO</b>	
<b>If NO – why not?</b>	

Please return completed form to the University Secretary and Clerk to the Board of Governors  
[unisec@worc.ac.uk](mailto:unisec@worc.ac.uk)