

Gifts and Hospitality Policy

Policy Name:	Gifts and Hospitality Policy		
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Approved By:	Board of Trustees		
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Related Policies:	Management of Interests Policy, Disciplinary and Grievance Policy, Expenses Policy		

REVIEW HISTORY			
Date	Name	Signature	Notes
March 2023	Lauren Hodgson		
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Gifts and Hospitality Policy Statement:

The purpose of this policy sets out the principles and practicalities all staff should consider when giving or receiving gifts and hospitality on behalf of Durham SU and outlines the organisation's position on preventing and prohibiting bribery.

Who this Policy applies to:

This policy applies to all employees and elected officers, trustees, temporary workers, consultants, contractors, agents, or any person acting for or on behalf of the organisation (associated person). Every employee or associated person acting for or on behalf of the organisation is responsible for maintaining the highest standard of business conduct.

This policy does not form part of an employee's employment contract and may be amended at any time.

1.Principles

- 1.1 It is important to Durham SU that the giving and receiving of gifts and hospitality can stand up to internal and public scrutiny and are consistent with the organisation's values and ethical standards and the Seven Principles of Public Life.
- 1.2 Standard business practices involve the offer and acceptance of gifts and hospitality, to develop and strengthen relationships. Such practices provide real value to Durham SU.
- 1.3 Gifts and hospitality must be reasonable and appropriate and not exceed normal business courtesy. Their primary purpose should focus on establishing cordial relationships with partners or better presenting Durham SU.
- 1.4 Durham SU is committed to high standards of ethical behaviour, acting with integrity, and upholding the law. Bribery and other corrupt behaviour involving gifts and hospitality will not be tolerated in any of Durham SU's activities, at home or abroad, including where such activities are carried out by third parties acting on Durham SU's behalf.
- 1.5 This policy is part of the way in which Durham SU ensures it manages the reality or perception of conflicts of interest, alongside the Management of Interests Policy.

2. Definitions and Scope

- 2.1 A gift is a tangible item or other benefit exchanged during Durham SU's activity or business. Gifts offered may range in value, and commonly may include business and branded stationery, food and beverages, or corporate gifts such as ornamental items.
- 2.2 Hospitality includes offers of refreshments, event invitations, travel, and/or accommodation because of, or in connection with, Durham SU activity or business.
- 2.3 This policy includes gifts and/or hospitality offered to persons connected to any Durham SU person, where there is an actual or potential link to Durham SU activity or business. 'Connected person' is defined in our Management of Interests Policy.
- 2.4 Bribery is broadly defined in the Bribery Act 2010 as occurring when a person offers, gives, or promises to give 'financial or other advantages' (such as money, contracts, gifts or offers of employment) to another individual in exchange for 'improperly' performing a 'relevant function or activity.' The offence of being bribed is defined as requesting, accepting, or agreeing to accept such an advantage, in exchange for improperly performing such a function or activity.
- 2.5 The following activities are out of scope:
 - Major and Corporate gifts to Durham SU.
 - Payments to volunteers.
 - Gifts and hospitality between the organisation and its staff and expenses for lay members of the Board of Trustees and its committees, all of which are covered under Durham SU's Expenses Policy.
 - Normal courtesies such as refreshments/working lunches and meals/accommodation received as part of training courses or conferences, authorised by a manager.
 - Personal gifts between colleagues not linked to Durham SU activity, for example gifts between colleagues for birthdays and Christmas, and leaving presents.
 - Hospitality offered between Durham University and Durham SU officers and staff, for example, working lunches and invites to formal dinners.

3. Gifts and Hospitality Procedures

- 3.1 Key principles for the exchange of gifts and hospitality:
 - 3.1.1 In line with the Bribery Act 2010, gifts and/or hospitality must not be offered or accepted where they might be intended or perceived as an inducement to influence a decision, or as a reward for the latter. They must not be exchanged in return for benefits or favours, nor to facilitate a routine business procedure.
 - 3.1.2 Exchange of gifts and/or hospitality should be avoided around key decision milestones, for example, procurement exercises or decisions relating to student election outcomes.
 - 3.1.3 Gifts and hospitality, where given or received, must be proportionate in terms of frequency and scale and appropriate for the occasion. The frequency and scale of hospitality accepted by staff and officers should not be significantly greater than Durham SU would likely provide in return.
 - 3.1.4 Cash must not be given or received under any circumstances.
 - 3.1.5 Cash-equivalents may also not be given or received, except for vouchers, book or other tokens offered as an incentive-based reward - for example, to respond to a survey - or received by staff as a personal gift.
 - 3.1.6 All exchanges must be open and transparent.
- 3.2 Offers of gifts and/or hospitality which run counter to these principles should be politely declined, referring to Durham SU's policy position.
 - 3.2.1 There may be instances where it is not possible to refuse a gift without offending. In such cases, staff and officers should consult with the Chief Executive in all instances as they will need to decide about what happens to the gift. It may be appropriate to consider donating the gift to avoid the perception of undue influence.
 - 3.2.2 Staff uncertain or concerned about the propriety of exchanging gifts/hospitality, either given or received, should seek advice from their line manager or, if they may also be a beneficiary of the gift, from the Chief Executive.
 - 3.2.3 Further advice may be sought from the Chief Executive at any time. If gifts are made to the Chief Executive, then the Chair and the Vice-Chair of the Board will be consulted.

4. Responsibilities

- 4.1 All staff have a responsibility to report any suspicions of bribery. Ultimate responsibility for prevention, detection, and investigation lies with the senior staff who should institute adequate systems of internal control including clear objectives, segregation of duties, and proper authorisation procedures. The auditors will assess the adequacy of these arrangements and investigate or supervise the investigation of allegations of bribery.
- 4.2 Staff, trustees and connected persons are required to keep accurate, detailed, and up-to-date records of all corporate hospitality, entertainment or gifts accepted or offered. Transparency is important, as Durham SU needs to demonstrate proper use of funds.
- 4.3 Employees and, where applicable, trustees and connected persons, are required to take particular care to ensure that all records are accurately maintained in relation to contracts or business activities. Due diligence should be undertaken by employees and associated persons prior to entering any contract, arrangement, or relationship with a potential supplier of services, agent, consultant or representative.

5. Register of Gifts and Hospitality

- 5.1 Durham SU maintains a register of gifts and hospitality accepted and given. This register is maintained by the Senior Admin Coordinator and is open to public inspection.
- 5.2 The entries on this Gifts and Hospitality Register need not give rise to a concern that an interest need to be declared, managed, and recorded on the Register of Interests. It is important, however, that each person accepting or making an offer of a gift or hospitality reflects on whether an interest needs to be declared, in line with the Management of Interests Policy.

6. Data Protection and Confidentiality

- 6.1 Durham SU is committed to processing all personal data in compliance with data protection legislation. Access to personal data is restricted to those who require it to comply with the requirements of this Policy and all information shared with the relevant parties under this Policy must be kept confidential as far as possible. Further information on data protection can be found in the Data Protection and Information Security Policy.
- 6.2 The matter may also be referred to the police and may lead to a prosecution.

7. Failure to Comply with the Policy

- 7.1 Durham SU prohibits any of its staff, trustees or connected persons offering, promising, giving, soliciting, or accepting any bribe. Non-compliance with the requirements of this Policy will be treated seriously by Durham SU and will be investigation with the potential use of disciplinary action which will be considered as potential gross misconduct.