



POLICY ON GIFTS, HOSPITALITY AND BRIBERY PREVENTION

Contents

| | |
|--|---|
| 1. Introduction | 2 |
| 2. Purpose | 2 |
| 3. Who is covered by the Policy? | 2 |
| 4. What is Bribery? | 3 |
| 5. Gifts and Hospitality offered or received by individual staff members | 3 |
| 5.1 Key Considerations | 3 |
| 5.2 Giving and Receiving Gifts | 4 |
| 5.3 Hospitality – Giving and Receiving | 4 |
| 5.5 What is not acceptable? | 5 |
| 6. Major Gifts or Donations to the University | 6 |
| 7. Facilitation payments | 7 |
| 8. Staff Responsibilities | 7 |
| 9. Record Keeping | 7 |
| 10. Due Diligence (Knowing who you are dealing with) | 8 |
| 11. Reporting Concerns | 8 |
| 12. Responsibility for and Monitoring of the Policy | 8 |

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 or its subsidiary companies, in observing and upholding our position on bribery and corruption;
 - b) to provide information and guidance to those working for the University and its subsidiary companies 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 major gift or 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 or its subsidiaries 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 or received by individual staff members

5.1 Key Considerations

- 5.1.1 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.
- 5.1.2 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
- 5.1.3 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.
- 5.1.4 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.

5.2 Giving and Receiving Gifts

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

- Is it appropriate to accept the gift? 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, 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 9.2. Staff may register or obtain consent on a voluntary basis in relation to gifts below the relevant figures.

5.2.2 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;

5.2.3 Items of property must be accepted on behalf of the University and handed into the University Secretary or the Finance Office to be used for fund-raising for the University's charity of the year or other charitable cause as decided by UEB;

5.2.4 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.

5.3 Hospitality – Giving and Receiving

5.3.1 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

5.3.2 All hospitality and entertaining must be in accordance with the 3 core principles of the University's Travel and Expenses Policy:

- **Value:** The University's resources are used responsibly to achieve its goals. Value considers well-being, safety and security, the environment and cost effectiveness
- **Integrity:** Colleagues are trusted to do 'the right thing' and to ensure that the proposed expenditure is necessary, and that costs are reasonable, legitimate and incremental to normal expenditure.
- **Approval before expenditure:** All expenditure should be appropriately approved before any costs are committed.

5.3.3. The costs of hospitality and entertaining should be, and be seen to be, reasonable in line with the Value principle, and should not create a personal benefit for any attending the event. Wherever possible, guidance should be sought from your budget manager or Head of School/Institute or Professional Service before incurring any costs. Expenditure on business hospitality or entertainment i.e. entertaining external guests, should only be reimbursed if the department is satisfied that it was incurred in the course of departmental or University business.

5.3.4 Important considerations for acceptability:

- i. If external guests had not attended, would the event still have taken place?
- ii. Is there an appropriate ratio of external guests to university attendees? A maximum of 2 members of staff per guest is a good rule of thumb.
- iii. Have all attendees' names and organisations been recorded?
- iv. Is the inclusion of alcohol reasonable and appropriate?
- v. Is the cost per head reasonable; could it be comfortably defended under public scrutiny i.e. FOI requests?
- vi. Would you be free from worry if the expenses were selected for audit?

Guidance on providing hospitality, including examples of what is acceptable to claim and what should not be claimed as business entertainment, cost allowances and reclaiming expenses is provided at Annexe 1.

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

- 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.

5.3.6 Hospitality received 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 9.2;

5.4. 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.

5.5 What is not acceptable?

5.5.1 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.

6. Major Gifts or Donations to the University

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 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.

7. Facilitation payments

- 7.1 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.
- 7.2 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.
- 7.3 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.

8. Staff Responsibilities

- 8.1 Staff must ensure that they read, understand and comply with this policy.
- 8.2 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.
- 8.3 Staff must notify the University Secretary 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.
- 8.4 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.

9. Record Keeping

- 9.1 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.
- 9.2 If you are required to register a gift or hospitality under this policy you must complete the [Gifts and Hospitality Registration Form](#) , upon completion this will automatically populate the 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 emailed to unisec@worc.ac.uk to be saved alongside the online registration form.

- 9.3 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.
- 9.4 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.

10. Due Diligence (Knowing who you are dealing with)

- 10.1 All staff must understand who they are doing business with and guidance on this issue can be obtained from the University Secretary. This process is known as due diligence.
- 10.2 It is the responsibility of all staff to bring to the attention of the University Secretary any potential new risk in relation to the scope of this policy when it arises.

11. Reporting Concerns

- 11.1 Concerns about compliance with this Policy should be reported to the University Secretary, or in the case of staff, the University’s Whistleblowing Policy can also be used.
- 11.2 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.
- 11.3 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.

12. Responsibility for and Monitoring of the Policy





- 12.1 The University Secretary 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.

- 12.2 The University Secretary 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.
- 12.3 The University Secretary 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.

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Guidance on organising and claiming for business entertainment

Examples of what can and should not be claimed as business entertainment

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|  | Cost of lunch/dinner/drinks with representative(s) of a potential new partner |
|  | Cost of lunch/dinner/drinks with potential business partner alongside attending a conference when the attendance of both parties at the conference has helped facilitate the business discussion |
|  | Cost of lunch/dinner/drinks with a counterpart from another University you meet up with at a conference when the purpose of the dinner is to catch up. |
|  | Cost of lunch/dinner/drinks when visiting a partner organisation assuming the number of attendees from both parties is reasonable. |

For external guests visiting on the University campus, refreshments including lunch should normally be booked through the University's Catering provision and not claimed as personal expenses. There is a £15 minimum order value for each delivery from the University's catering provision. Therefore, when providing refreshments for one or two individuals it may be more cost effective to purchase these from the existing University catering outlets and claim the cost via expenses.

When providing hospitality individuals should, where possible, keep within the subsistence allowance of £30 for evening meals, £10 for lunch (£15 if overseas), £10 for breakfast. There will be some instances where this cannot be achieved and guidance should be sought at the point of making arrangements.

The University will pay the cost of some alcoholic beverages only in particular circumstances up to a very modest amount and this should be agreed in advance with your budget manager or Head of Academic School/Institute or Professional Service. Alcoholic beverages that may be claimed are typically limited to wine or beer; it does not include champagne, spirits, pre-dinner cocktails or after dinner brandy. Prudence should be used in the purchase of alcoholic beverages as they may comprise a significant portion of the cost of the meal.

Expenses claims should be properly recorded on the expense claim with a valid reason for the claim and evidenced with ALL of the following information:

All hospitality and entertaining expense claims should be supported with a valid reason for the claim, evidenced with supporting receipts or proof of purchase. Photocopies or photos of receipts are acceptable when the bill has been split between colleagues.