



## Code of Practice for Staff on the Receipt of Gifts, Hospitality and Other Benefits

### 1. Purpose

This Code of Practice offers guidance to staff in regard to the potentially difficult question of how to react to unsolicited gifts and hospitality offered in the course of their University duties. It has been prepared against the background of the need for staff to maintain high standards of propriety and professionalism, and to avoid placing themselves in a position where their integrity might be called into question. It is of particular importance when staff are engaged in any formal procurement process for goods or services. It recognises the practical realities that there will be circumstances where the receipt of small gifts will be appropriate, that on occasion refusal of gifts could cause offence and be to the detriment of the University, and similarly that there are circumstances in which it is appropriate to accept offers of hospitality. Some general guidance is offered on personal retention of gifts and other benefits.

### 2. Gifts

#### 2.1. Gifts from visitors to the University

Gifts of a nominal or small value from visitors from other universities or organisations can normally be accepted without question. Frequently these are mementoes of the visitor's own institution/organisation. According to the nature of the visit and of the gift, it will be a matter of discretion whether the gift is retained by the individual to whom it was given, or retained by the School/support department: the latter might be more appropriate in cases where the gift can be put on display.

Gifts of significant value are occasionally offered by 'official' visitors and it would normally be inappropriate to decline them. However, they must not be retained by the recipient for personal use, but must be regarded as University property. The appropriate location for their retention/storage/display will depend on the nature of the gift. The appropriate University officer(s) must be consulted according to the nature of the gift and its value (for example, the University Librarian, the Director of University Collections, the University Secretary, etc). Gifts of significant monetary value must not be retained at School/support department level without such consultation.

Valuable gifts of a personal nature should not normally be accepted, and in any case only if the relevant Head of School/support department or line manager is informed; see also the guidance in the final paragraph.

#### 2.2. Gifts from others

The foregoing applies to gifts from visitors with no formal or contractual relationship with the University. Gifts from individuals or bodies with, or wishing to have, a formal relationship with the University (e.g. applicants and students or their immediate relatives; suppliers; contractors; etc) should not normally be accepted. This is particularly important

if a formal procurement process for goods or services is being undertaken in which the individual or body may have an interest.

There will be limited exceptions to this general rule: for example, receipt of a small personal gift by a supervisor from a postgraduate student who has completed his or her studies would not be regarded as inappropriate, provided the monetary value of the gift was not significant. An exception can also be made in the case of promotional items such as diaries or calendars, and this could extend to items such as ties, scarves, golf umbrellas etc. The particular issue of gifts of books by publishers to academic staff is another area where exceptions to this general rule are acceptable, provided that the books received are relevant to the academic interests of the member of staff.

However, in all cases caution must be exercised in the receipt of items of any value, and it is essential that members of staff do not put themselves in a position where they might be regarded as receiving any benefit or gift as an inducement or reward for taking any action (or specifically not taking action) or showing favour. **In any case of doubt, staff must consult their Head of School/ Support Department or line manager as appropriate.** In the rare situation where refusal of a gift would give rise to offence detrimental to the University, the gift must immediately be declared to, and surrendered to, the relevant Head of School/ Support Department. The Head must then consult with the appropriate University officer regarding retention or disposal of the gift.

### **3. Hospitality**

University staff must avoid accepting gifts of hospitality that could be construed as offering an outside contractor or organisation an undue influence over their professional work. This is particularly important when staff are engaged in any formal procurement process for goods or services. Such hospitality could include meals, admittance to ticketed events, travel packages, and other hospitality services extended to a University staff member or their immediate family at no cost or at preferential rates by an interested outside individual, contractor or other party, whether or not the offer was extended in that staff member's official capacity. This also includes add-ons that might be attached to a trip for official University business, such as preferential hotel rates or free entertainment while at a professional conference or on a recruiting trip.

In the course of attending events hosted by outside organisations, University staff members must be alert as to the propriety of any supplementary offer of hospitality and whether it could be seen as offering influence or advantage to an outside party.

However, this guidance should not be construed as extending to hospitality normally offered as part of a professional activity, for example, as part of conference attendance or as an external examiner. There is nothing untoward about such offers, which are well-established non-preferential practices, and would not normally be construed as an attempt to gain influence with the University. A further area of activity where it may well be in the University's interests that hospitality is accepted relates to fundraising and the building of relationships with potential donors: this is of particular relevance to staff in Development and Alumni.

There will, more generally, be occasions when it is in the University's interests for an offer of external hospitality to be accepted. When determining whether to do so, staff must take into account whether the offer is made through an official channel or direct to the individual; whether the offer is generally available or targets the individual; whether the offer could be construed as giving an interested party an advantage in negotiations or other interactions with the University and conversely whether declining the offer may have significant adverse consequences for the University.

Staff members must refuse offers which unduly benefit themselves as individuals and/ or could give an outside party undue influence or advantage. **In any case of doubt, staff must consult their Head of School/support department or line manager as appropriate.** All offers of hospitality accepted by University staff should be reported to the line manager, and a record kept by the staff member.

#### **4. Other Benefits**

There are few other benefits offered to University staff by third parties, but staff must be alert to the need for caution should such circumstances arise. Examples might include sponsorship and the offer by a supplier of a discount for the purchase of an item for personal use not generally available to University staff. Prudence dictates that such benefits should not normally be accepted, and certainly not on a large scale or without informing the Head of School/support department/line manager.

#### **5. General Guidance on Personal Retention of Gifts and Other Benefits**

In considering whether a gift or benefit should be retained personally, the concept of proportionality will be of some relevance. That is to say, considerations of the value of the gift/ benefit in relation to the circumstances in which it is given or to the means of the donor. However, the absolute value of a gift/benefit is at least as important as a criterion. Whilst this will always be a matter of judgement, as a guide it is suggested that a gift/ benefit worth more than £50 should not normally be retained personally, and only after consultation with the line manager.

#### **6. Review**

This Code of Practice was revised June 2009. It was reviewed in June 2017 to update terminology. It will be reviewed in full by December 2018.

#### **7. Alternative Format**

If you require this document in an alternative format please contact [UHRS@ed.ac.uk](mailto:UHRS@ed.ac.uk) or telephone 0131 650 8127.