

THE GLASGOW SCHOOL OF ART

Gifts and Hospitality Policy for the Board of Governors

POLICY DETAILS:

Date approved	15 June 2023
Approving Bodies	Board of Governors
Implementation Date	15 June 2023
Supersedes	Gifts and Hospitality Policy for the Board of Governors 2021
Date of Impact Assessment	March 2021
Review Date	June 2026
Author	Corporate Governance Office
Supporting Policy	Anti-Bribery and Corruption Policy Register of Interests Policy and Procedure Gift Acceptance and Donor Relations Policy Staff Gifts and Hospitality Policy Expenses Policy for the Board of Governors
Benchmarking	Code of Good HE Governance A sector Benchmarking Exercise was undertaken as follows: Glasgow Caledonian University University of Aberdeen University of Dundee University of Glasgow Heriot-Watt University University of West of Scotland

THE GLASGOW SCHOOL OF ART

GIFTS AND HOSPITALITY POLICY FOR THE BOARD OF GOVERNORS

1. SCOPE

- 1.1 This policy and procedure applies to all members of GSA's Board of Governors (including the Chair, Independent Governors, Ex Officio Governors, Elected Staff and Student Governors, and Trade Union Governors) (hereinafter known as Governors) where they are offered, giving or accepting gifts and/or hospitality in relation to their role as a member of the Board of Governors. Where Governors are also members of GSA staff, they must also comply with GSA's staff Gifts and Hospitality Policy and where a policy conflict occurs, the stricter policy will be deemed to apply.

2. INTRODUCTION

- 2.1 GSA is committed to conducting its business fairly, honestly and openly. This is in alignment with the *Nine Principles of Public Life in Scotland* which all Governors are expected to observe and which are set out in GSA's Statement of Corporate Governance: duty, selflessness, integrity, objectivity, accountability and stewardship, openness, honesty, leadership and respect.
- 2.2 GSA is committed to maintaining the highest standards, and conducts all of its operations and business in accordance with best practice in higher education corporate governance and all relevant legal and regulatory requirements (including the [Bribery Act 2010¹](#)).
- 2.3 This policy should be read in conjunction with GSA's *Anti-Bribery and Corruption Policy, Register of Interests Policy and Procedure, Gift Acceptance and Donor Relations Policy, Staff Gifts and Hospitality Policy and Expenses Policy for the Board of Governors* (where appropriate).

3. THE POLICY

- 3.1 The Bribery Act 2010, which came into force on 1 July 2011, introduced a corporate offence of failing to prevent bribery. Offences under the Act include:

- Offering, promising or giving a bribe to another person
- Agreeing to receive or accept a bribe from another person
- For an organisation to fail to prevent bribery

A bribe does not have to be a financial incentive. An offence is committed if a person offers any type of improper advantage, benefit or reward.

- 3.2 It is recognised that corporate hospitality is part of normal business activity. There is therefore no intention to seek to penalise reasonable and proportionate hospitality for legitimate business purposes. Nevertheless, it is important that the giving or receiving of gifts and hospitality can stand up to internal and public scrutiny.

¹ <http://www.legislation.gov.uk/ukpga/2010/23/contents>

3.3 In light of this Act, this policy is designed to protect members of the Board of Governors from accusations of bribery and corruption and thereby also protect the reputation of the School. This policy applies to gifts and/or hospitality offered by private companies, contractors or consultants or any organisation or person to members of the Board of Governors, and also applies to gifts and hospitality offered by Governors. Gifts and hospitality offered to friends and family of Governors will also be subject to the policy if they might reasonably be perceived to affect or influence any future business with the School.

3.4 The expectation is that all Governors will conduct themselves with integrity, honesty and openness at all times. They should maintain high standards of professionalism and propriety. The School expects Governors to exercise the utmost care when giving and accepting gifts and hospitality when on School business. The conduct of Governors should not arouse suspicion of any compromise of Governors' objectivity or conflict between their official duty and their private interest. The actions of Governors acting in their official capacity should not give the impression (to any member of the public, to any organisation, or to colleagues or fellow Governors), that they have been (or may have been) influenced by a benefit to show favour or disfavour to an organisation.

4. CIRCUMSTANCES IN WHICH IT MAY BE PERMISSIBLE TO OFFER GIFTS AND HOSPITALITY

4.1 This policy is not intended to prevent the normal and appropriate giving of small gifts (nominal cost of up to £50) and providing appropriate hospitality (such as working lunches and dinners) to third parties. It is recognised that this can be essential to the operation of normal business with visitors, hosts, sponsors or partner institutions and will be deemed appropriate so long as it is given openly in the name of the Glasgow School of Art, and is not made with the intention of influencing directly or via a third-party to obtain or retain business or a business advantage, or in explicit or implicit exchange for favours or benefits.

4.2 Gifts given as a 'thank you' to individuals, for example, those who have participated in, or represented the School at a significant international event. In such circumstances, it would be more appropriate for gifts to be presented to individuals after the event rather than before.

4.3 Gifts given to individuals on special occasions, for example, to mark a significant anniversary or the end of an individual's tenure in a particularly significant role such as the Chair of the Board of Governors, Independent Governor or honorary President.

4.4 Costs for gifts should be pre-authorized, wherever possible, by the Registrar and Secretary. Appropriate and proportionate costs for providing gifts in terms of this policy will be reimbursed on production of receipts provided they are reasonable and comply with the terms of this policy.

4.5 Hospitality afforded to guests of GSA should be explicitly authorised in advance, wherever possible, by the Chair of the Board of Governors. This should also be communicated in advance to the Registrar and Secretary. The ratio of Governors to guests should not normally exceed 4:1 respectively. Appropriate and proportionate costs for providing hospitality will be reimbursed on production of receipts provided they are reasonable.

4.6 The following information must be provided:

- the names of all 3rd party guests/person to whom gift is made
- the organisation which they represent

- the nature of the hospitality/gift
- the purpose of the hospitality/gift
- the date and place of the hospitality

4.7 Expenditure under the heading of “Hospitality” should only be incurred for good business reasons. No claims for hospitality may be made unless a third-party is present.

4.8 At times it may be appropriate and necessary to provide individual Governors with an agreed hospitality budget in connection with certain GSA project activities in which they are involved. In such cases clear parameters for the budget will be agreed in advance with the approval of the Board of Governors. Such arrangements shall be subject to the same terms and guidance contained in this policy.

5. CIRCUMSTANCES IN WHICH IT MAY BE PERMISSIBLE TO ACCEPT GIFTS AND HOSPITALITY

5.1 The following types of gift/hospitality are considered to be acceptable:

- a) A small gift regarded as trivial and of nominal cost (up to £50) which may be of a promotional or advertising nature such as a memento of a visitor’s own university or organisation or where refusal of such a small or trivial gift would cause needless offence.
- b) Conventional hospitality such as working lunches or dinners; attendance in an official capacity as a School Governor at higher education and professionally related functions, conferences, seminars, performances, private views, dinners, award ceremonies etc. The hospitality should be appropriate, proportionate and reasonable. What is reasonable should take into account the nature of the event and Governors should ensure that the hospitality does not compromise them in any way. The frequency and scale of hospitality should not normally be greater than the School is likely to provide in return.

The above list is not exhaustive; each offer should be considered carefully in relation to the circumstances. If there is any doubt, see 5.4 below.

5.2 All gifts or hospitality must be disclosed to the Corporate Governance Office who will record them in a Register of Gifts and Hospitality for the Board of Governors which will be accessible to the Board and Audit and Risk Committee upon request.

5.3 Where a valuable gift or benefit is offered from which the School in general might benefit, rather than an individual Governor, acceptance should be referred to the Director of Development for consideration under the School's Gift Acceptance and Donor Relations Policy.

5.4 When it is not easy to decide between what is and what is not acceptable in terms of gifts or hospitality, the offer should be politely declined (with an explanation of the School’s policy) or advice sought from the Registrar and Secretary who will take into consideration the circumstances under which the gift or hospitality has been offered.

6. UNACCEPTABLE GIFTS/HOSPITALITY

6.1 The types of gifts/hospitality listed below are unacceptable and acceptance of such gifts/hospitality without prior approval, wherever possible, of the Registrar and Secretary are likely to result in the circumstances of the gift/hospitality being referred to the Chair or Vice-Chair of the Board to consider whether any action requires to be taken against the Governor involved:

- Gifts/hospitality which are lavish or expensive (costing over £100).
- Gifts/hospitality which are received on a regular basis from the same source.
- Gifts and hospitality which could be deemed as political campaigning purposes as this would breach the School's charitable obligations.
- Travel, holidays or accommodation (other than travel and accommodation incurred when being invited as a speaker at a conference, for example).
- Offers of items or services for personal use at trade or discounted price other than discounts generally available to all Governors.
- Receiving payment or other reward from an external organisation/company for work undertaken in an individual's official capacity as a Governor of the School.
- Personal gifts of money (or monetary instruments) should never be accepted, regardless of the amount. Gifts of money to the School should be received only if they are clearly charitable donations, coordinated through the Director of Development with reference to the Registrar and Secretary.
- Acceptance of gifts/hospitality which could be deemed as influential in the award of a contract or business to an external organisation.
- Inducements that could lead to a contractual position between the School and a supplier, contractor or consultant.

It is also unacceptable to ask for gifts and/or hospitality.

6.2 The list in paragraph 6.1 above is not exhaustive. Each offer should be considered with due regard to its particular circumstances and the nature of the gift/hospitality offered. Where any Governor is in any doubt as to whether to accept an offer of a gift/hospitality, they should consult the Registrar and Secretary prior to accepting.

6.3 Dishonesty (such as bribery and corruption) in connection with the performance of a Governor's role constitutes gross misconduct and where it has been determined that a Governor has acted improperly in terms of this policy, removal from office may occur in line with the School's policy on removal of Governors from office. The Registrar and Secretary to the Board will treat all such allegations seriously and will investigate any circumstances in which a Governor accepts any gift/hospitality as an inducement or reward for:

- a. Not undertaking their correct duties and responsibilities.

- b. Showing favour or disfavor to an individual/organisation.

Similarly, accepting any gift/hospitality that is listed under the section entitled "Unacceptable Gifts/Hospitality" may constitute gross misconduct which could result in a Governor being removed from office.

- 6.4 Any attempt at bribery or corruption should be reported to the Registrar and Secretary without delay. Should reporting in this way be inappropriate, the School's [Public Interest Disclosure \(Whistle Blowing\) Policy](#) should be referred to. Bribery and corruption are criminal offences that can be reported to the police.

7. GIFTS AND HOSPITALITY AND CONFLICTS OF INTEREST

- 7.1 If, having previously accepted a gift or hospitality, a Governor finds themselves in a position where a decision might be construed as having been influenced by the acceptance of that gift or hospitality, the resulting conflict of interest should be declared to the Registrar and Secretary or at any meeting where the conflict may be relevant to the business being considered.

8. REGISTER OF GIFTS AND HOSPITALITY - BOARD OF GOVERNORS

- 8.1 The School maintains a Register in respect of offers of gifts and hospitality which is held by the Corporate Governance Office.
- 8.2 Members of the Board of Governors are required to record all gifts and hospitality offered, including the value of the gift (if known), whether received or not, on the form at appendix 1 within 28 days of receipt and return this to the Corporate Governance Office.
- 8.3 Members of the Board of Governors are also required to record all gifts and hospitality, including the value of the gift, offered by them to a third-party guest of GSA, in their role as Governor, on the form at appendix 1 within 28 days of offer and return this to the Corporate Governance Office.
- 8.4 Any gifts or hospitality which are offered to but not accepted by members of the Board of Governors following consideration of the terms of this policy must also be recorded in the Register.
- 8.5 The Register will be open to inspection by the internal and external auditors. It is also important to note that under the Freedom of Information (Scotland) Act 2002, the information contained within the Gifts and Hospitality Register may be disclosed to any member of the public on request.
- 8.6 It is the responsibility of each member of the Board of Governors to ensure that they comply with this policy and its related procedures.

9. MONITORING AND REVIEW

- 9.1 The Registrar and Secretary has primary and day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

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REGISTER OF OFFERS OF AND RECEIPT OF GIFTS AND HOSPITALITY
DECLARATION FORM FOR THE BOARD OF GOVERNORS

Please refer to the Gifts and Hospitality Policy for the Board of Governors before completing this form.

This form should be used to record both acceptance (or rejection) of all offers of gifts and hospitality made to you in your role as a Governor and all offers (or rejection) of gifts and hospitality made by you to a third-party guest of GSA in your role as a Governor and should be completed within 28 days of the date of offer/receipt.

Personal Details		
Title:	Forename:	Surname:
Position at GSA:		

Gifts and Hospitality (all offers of gifts and hospitality made to you in your role as Independent Governor)
<i>Date of Offer/ Receipt of Gift/Hospitality:</i>
<i>Name of 3rd party guest/person offering the gift/hospitality and the organisation they represent:</i>
<i>Accepted/ Declined:</i>
<i>Reason for the Gift/Hospitality:</i>
<i>Brief details of the Gift/Hospitality:</i>
<i>Value of Gift/Hospitality</i>

Gifts and Hospitality (all offers of gifts and hospitality made by you to a third-party guest of GSA in your role as Independent Governor)
<i>Date of Offer/ Receipt of Gift/Hospitality:</i>
<i>Name of 3rd party guest/person <u>to whom</u> the gift/hospitality is made and the organisation they represent:</i>
<i>Accepted/ Declined:</i>
<i>Reason for the Gift/Hospitality:</i>

Brief details of the Gift/Hospitality:	
Value of Gift/Hospitality	
Gifts and Hospitality Declaration	
I confirm that I have read and understood GSA's policy on Gifts and Hospitality for members of the Board of Governors and that I have completed the Declaration form in accordance with that guidance and underlying principles.	
Name:	
Date:	

(If this form is completed and returned electronically, please type your name and the date in the spaces above, which will be taken as an "electronic signature" on receipt by GSA)

Please return to:

Kirsteen Faulds
Senior Policy Officer

K.Faulds@gsa.ac.uk